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Monday, May 2, 1994

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 89

Number 18

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 2, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Noted absent at first roll call:

Supervisors Conroy, Leal, Migden, Shelley - 4.

Quorum present.

Supervisor Conroy was noted present at 2:11 p.m.

Supervisor Leal was noted present at 2:11 p.m.

Supervisor Migden was noted present at 2:12 p.m.

Supervisor Shelley was noted present at 2:13 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, April 18, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Port of San Francisco]
Ordinance appropriating $1,336,856, Port, for capital improvements, facilities maintenance projects and debt service payments for fiscal year 1993-94; funded from San Francisco Harbor Operating Fund ($1,108,000) and 1984 Port Revenue Bond Fund ($228,856); placing $989,000 on reserve. (Supervisor Alioto)

File 101-93-95, Ordinance No. 191-94

(Fiscal Impact.)

Finally passed.

[Appropriation, Sheriff Department]

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Ordinance appropriating $10,000, Sheriff Department, Jail Overcrowding Fine Revenue to expand the Residential Care Program to minimize jail overcrowding for fiscal year 1993-94 (includes other non-personal services). (Controller)

File 101-93-96.2, Ordinance No. 192-94

Finally passed.

[Appropriation, Mental Health Substance Abuse]
Ordinance appropriating $142,847, Department of Public Health, Division of Mental Health Substance Abuse and Forensic Services of Jail Overcrowding Fine Revenue to medical services contracts, to provide case management services for mentally ill inmates (minimize jail overcrowding) for fiscal year 1993-94; requesting report from Department of Public Health by December 1, 1994, regarding the Case Management Program financed by this ordinance. (Supervisor Alioto)

File 101-93-107, Ordinance No. 193-94

(Fiscal Impact.)

Finally passed.

[Appropriation, Chief Administrative Officer]
Ordinance appropriating $206,787, Chief Administrative Officer, unreinforced masonry building bond proceeds to administer the Seismic Safety Loan Program for fiscal year 1993-94 (includes permanent salaries and mandatory fringe benefits for the creation of five positions, professional and non-personal services, materials and supplies, equipment and services of other departments); placing $15,000 on reserve. (Supervisors Alioto, Hsieh, Bierman)

File 101-93-110, Ordinance No. 194-94

(Fiscal Impact.)

Finally passed.

[Chief Administrative Officer, Add Five Positions]
Ordinance amending Annual Salary Ordinance, 1993-94, Chief Administrative Officer, reflecting the addition of five positions; companion measure to File 101-93-110. (Supervisors Alioto, Hsieh, Bierman)

File 102-93-31, Ordinance No. 196-94

(Fiscal Impact.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, Helen Armstrong]
Ordinance authorizing settlement of litigation of Helen Armstrong against the City and County by payment of $20,000 (City Attorney)

File 45-94-19, Ordinance No. 187-94

(Superior Court No. 950-504)

Finally passed.

[Settlement of Litigation, Aldena Sala]
Ordinance authorizing settlement of litigation of Aldena Sala against the City and County by payment of $15,000 (City Attorney)

File 45-94-20, Ordinance No. 188-94

(Superior Court No. 943-265)

Finally passed.

[Lease Amendment, Shell Oil Company, Kern County]
Ordinance authorizing execution of amendment to oil and gas lease (Shell Oil Company) for 800 acres in Kern County. (Real Estate Department)

File 65-94-8, Ordinance No. 243-94

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Consideration Continued

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1994.

(April 4, 1994 - Passed for second reading.)
(April 11, 1994 - Finally Passed.)
(April 22, 1994 - Returned disapproved by the Mayor.)
(April 25, 1994 - Consideration continued to May 2, 1994.)

File 106-94-1, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Kaufman, moved to continue consideration to May 9, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Request Granted

Supervisor Alioto requested that the City Attorney provide cost estimates concerning the 1991 lawsuit pertaining to the Salary Standardization Ordinance.

No objection and Clerk directed to send letter.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Hold Harmless Agreements - DSS]
Ordinance amending the Administrative Code, to authorize the Department of Social Services to enter into hold harmless agreements to allow DSS representatives to recruit foster and adoptive parents at community events. (Department of Social Services)

File 97-94-21, Ordinance No. 190-94

(Adds Section 1.46.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

From Government Efficiency and Labor Committee Without Recommendation

Consideration Continued

[Official Newspaper-Fiscal Year 94/95]
Resolution designating the San Francisco Examiner to be the official newspaper of the City and County of San Francisco, commencing July 1, 1994, for specified categories of official advertising. (Purchasing Department)

File 112-94-1.1, Resolution No.

(April 11, 1994 - Consideration continued to May 2, 1994.)

Supervisor Hallinan, seconded by Supervisor Conroy, moved to continue consideration to May 9, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Noes: Supervisors Hsieh, Maher - 2.

Recommendations of Budget Committee

Finally Passed

[Firearms and Ammunition Business Tax]
Ordinance amending Part III, Municipal Code to exclude businesses selling firearms and ammunition from the small business tax exemption and to establish a new business classification for firearm and ammunition sales, to establish a tax rate for this classification of 3%, as of January 1, 1994, for the total gross receipts received by any business which receives any gross receipts from the sale of firearms and ammunition, and to exclude businesses with gross receipts from the sale of firearms and ammunition from eligibility for the small business exemption. (Supervisors Migden, Bierman)

File 127-94-1, Ordinance No. 195-94

(Fiscal Impact.)

(Amends Sections 905-A, 1003, 1004.17, 1004.18 and 1005.3.)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Leal, Maher, Migden - 6.

Noes: Supervisors Alioto, Conroy, Kaufman, Kennedy, Shelley - 5.

Adopted

[World Cup Soccer Ticket]
Resolution amending the Municipal Railway fare schedule to include a one-time $75 regional transit pass to be used on Muni and other Bay Area transit systems during the summer of 1994, in conjunction with the World Cup Soccer tournament games. (Supervisors Hsieh, Alioto, Bierman, Leal, Migden)

File 7-94-6, Resolution No. 394-94

(April 25, 1994 - Consideration continued to May 2, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Health]
Ordinance appropriating $2,187,253, Department of Public Health, from Health Care MIS Reserve to implement a computer system for Medi-Cal Managed Care for fiscal year 1993-94 (includes salaries, mandatory fringe benefits, professional services, materials and supplies and equipment); subject of previous budgetary denial; placing $895,700 on reserve. (Supervisors Alioto and Hsieh)

File 101-93-109, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Appropriation, Airport]
Ordinance appropriating $147,629, Airports Commission from the Airport operating fund balance to implement the Airport Master Plan for fiscal year 1993-94 (includes permanent salaries and mandatory fringe benefits, for the creation of twenty-three positions). (Controller)

File 101-93-111, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Public Employment, Adding 23 Positions]
Ordinance amending the Annual Salary Ordinance No. 242-93, reflecting the addition of twenty-three positions, Airport; companion measure to File 101-93-111. (Department of Human Resources)

File 102-93-33, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Appropriation, Board of Supervisors]
Ordinance appropriating $43,260, Board of Supervisors, for salaries to hear property tax assessment appeals for fiscal year 1993-94, funded from the General Fund Reserve ($9,264), rescission of mandatory fringe benefits ($20,781) and anticipated fees ($13,215). (Supervisor Alioto)

File 101-93-112, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted

[Gift Acceptance]
Resolution accepting a gift from David Jenkins for the use of the National Service Blue Ribbon Commission. (Supervisors Alioto, Bierman, Migden)

File 38-94-1, Resolution No. 401-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Request Granted

Supervisor Alioto requested that letter be sent to David Jenkins thanking him for the gift.

No objection and Clerk directed to comply.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

[Presidio, National Park Service Contract]
Resolution supporting the use and sale of local, public electrical power and urging the Mayor to urge the Public Utilities Commission and the General Manager of the Public Utilities Commission to aggressively bid for the National Park Service Contract for the generation of electricity at the Presidio. (Supervisors Alioto, Shelley, Kaufman, Bierman, Hsieh, Migden)

File 244-94-3.1, Resolution No. 389-94

(April 18, 1994 - Referred to Committee.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

The President resumed the Chair.

Recommendations of Government Efficiency and Labor Committee

Consideration Continued

(Supervisor Hallinan dissenting in Committee.)

[Medical and Laboratory Services]
Ordinance amending Administrative Code which authorizes the Health Commission and the Purchaser to enter into an agreement with the University of California for the provision of medical and laboratory services at San Francisco General Hospital beginning July 1, 1959. (Department of Public Health).

File 97-94-4, Ordinance No.

(Repeals Section 19.A.11)

Supervisor Migden, seconded by Supervisor Hsieh, moved to continue consideration to May 9, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

(Supervisor Hallinan dissenting in Committee.)

[Affiliation Agreement]
Ordinance authorizing the Director of Public Health and the Purchaser to execute an affiliation agreement between the City and County of San Francisco and the Regents of the University of California for the provision of patient care services at San Francisco General Hospital. (Department of Public Health)

File 172-94-3, Ordinance No.

Supervisor Migden, seconded by Supervisor Hsieh, moved to continue consideration to May 9, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[State Legislation Supporting AB 3419]
Resolution supporting AB 3419 (Bates), a measure that would allow the release of addresses of elderly and disabled clients of the Department of Social Services to disaster and emergency personnel. (Department of Social Services)

File 12-94-16, Resolution No. 396-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Intersection]
Resolution designating Seventeenth Avenue and Pacheco and Seventeenth Avenue and Ortega as a four-way "Stop" intersection. (Supervisors Maher, Kennedy, Leal, Bierman, Shelley)

File 18-93-8, Resolution No. 400-94

Stop Signs - Establish
17th Avenue and Pacheco
17th Avenue and Ortega, all four corners, stopping northbound, southbound, eastbound and westbound traffic, making this a four-way stop).

(The Department of Parking and Traffic recommends against the installation of these Stop signs.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

[Stop Intersection]
Resolution designating 35th Avenue and Ortega Street as a four-way "Stop" intersection. (Supervisors Maher, Shelley, Bierman)

Stop Signs - Establish
35th Avenue and Ortega Street, all four corners, stopping northbound, southbound, eastbound and westbound traffic, making this a four-way stop.

(The Department of Parking and Traffic recommends against the installation of these Stop signs.)

File 18-94-5, Resolution No. 399-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

[Residential Parking Area "U", South of Market]
Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area and adding Natoma Street between 10th and 11th Streets, south side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-94-7, Resolution No. 402-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Conroy, Shelley - 2.

Recommendations of Economic Vitality and Social Policy Committee

Refused Passage for Second Reading

(Supervisor Kaufman excused from voting in Committee.)

[Interest Rates on Security Deposits]
Ordinance amending Administrative Code to change the amount of annual interest earned on security deposits from a simple 5 percent to the rate earned by regular passbook accounts paid by the Bank of America in effect at the time said interest is payable. (Supervisor Kennedy)

File 97-93-52, Ordinance No.

(Amends Section 49.2)

Supervisor Kaufman Excused From Voting

Supervisor Kennedy, seconded by Supervisor Bierman, moved to excuse Supervisor Kaufman from voting.

Motion to excuse Supervisor Kaufman from voting adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hallinan, Shelley - 2.

Refused passage for second reading by the following vote:

Ayes: Supervisors Hsieh, Kennedy, Maher - 3.

Noes: Supervisors Alioto, Bierman, Leal, Migden, Shelley - 5.

Excused: Supervisor Kaufman - 1.

Absent: Supervisors Conroy, Hallinan - 2.

Adopted

[Job Training]
Resolution requesting the Mayor to request the Private Industry Council (PIC), the Mayor's Office of Community Development and the Mayor's Office of Housing, who receive money for job training of displaced workers, unemployed workers, etc., to use job training monies to establish a job training program in Bayview-Hunters Point, Oceanview, Merced, Ingleside and Visitacion Valley; requesting PIC to use money that the City allocates to PIC for job training in the Bayview-Hunters Point community; requesting the Mayor to memorialize Congresswoman Nancy Pelosi, Congressman Tom Lantos, Senators Dianne Feinstein and Barbara Boxer to introduce legislation that would require all contracts let to clean up Bayview-Hunters Point Shipyard and the surrounding area to hire workers from the Bayview-Hunters Point, OMI and Visitacion Valley communities and that all subcontracts be awarded to minorities and that contractors establish an apprenticeship program using persons from the Bayview Hunters Point, OMI, and Visitation Valley communities. (Supervisors Kennedy, Alioto, Hallinan, Shelley)

File 245-94-2, Resolution No. 407-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisors Alioto, Hallinan, Shelley requested to be added as co-sponsors.

Recommendations of Health, Public Safety and Environment Committee

Adopted as Amended

[Medi-Cal Local Initiative Governance Structure]

Resolution approving the governance structure as amended for the San Francisco Medi-Cal Managed Care Local Initiative; supporting State legislation and directing the City's legislative representative in Sacramento to carry out all necessary actions to effect this resolution. (Supervisor Leal)

File 12-94-20, Resolution No. 397-94

Supervisor Leal, seconded by Supervisor Kaufman, moved to amend "Proposed State Law to Authorize the San Francisco Local Initiative Authority" pursuant to memorandum dated May 2, 1994 from Deputy City Attorney. (copy of which is on file with the Clerk of the Board of Supervisors). Resolution amended accordingly in title, page one, line two, after "structure" by inserting "as amended" and amend page two, line 18, after "Authority" by inserting "as amended 5/2/94".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Hallinan - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted

[State Legislation, AB 2418, Equal Pricing Act]
Resolution urging the Governor and State Legislature to end gender-based price discrimination and supporting the passage of AB 2418. (Supervisors Shelley, Hallinan)

File 12-94-21, Resolution No. 398-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Conference with Labor Negotiator -- Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources, and with Thornton C. Bunch, Employee Relations Director, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

(April 25, 1994 - Consideration continued to May 2, 1994.)

Supervisor Kennedy, seconded by Supervisor Bierman, moved to meet in closed session.

Motion to meet in closed session adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Recess

The Board recessed at the hour of 3:18 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 3:31 p.m., reconvened.

Quorum present.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with Wendell Pryor, Director of Human Resources, and with Thornton C. Bunch, Employee Relations Director, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6. The meeting was informational only and the Board was not asked to take action.

The Clerk of the Board stated that the Board took no action and made no motion.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kennedy, seconded by Supervisor Maher, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing confirming report of delinquent charges for Rent Arbitration and Stabilization fees submitted by the Tax Collector, as modified to the date of adoption of this resolution, and creating assessments and liens based thereon. (Tax Collector's Office)

File 41-94-1.

(A pre-hearing with the Tax Collector's Office has been scheduled in Room 228, City Hall at 1:00 p.m.)

The Tax Collector's representative reported that an April 28, 1994 updated report was submitted to the Board of Supervisors and the pre-hearing was held. The representative requested that the Board further amend the report pursuant to a list of names she is submitting today (copy of which is on file with the Clerk of the Board of Supervisors).

The President inquired if there was anyone present who wished to address the Board.

There being no response, the President declared the public hearing closed.

Adopted

[Rent Stabilization and Arbitration Fee Liens]
Resolution confirming report of delinquent charges for Rent Arbitration and Stabilization fees submitted by the Tax Collector, as modified to the date of adoption of this resolution, and creating assessments and liens based thereon. (Tax Collector's Office)

File 41-94-1, Resolution No. 403-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

SPECIAL ORDER - 3:00 p.m.

Consideration Continued

[Public Hearing]
Hearing to consider whether to acquire Hawk Hill (Lot 27 in Assessor's Block 2336) by eminent domain. (Supervisor Maher)

File 219-94-1

Deputy City Attorney Ted Lakey informed the Board that this matter cannot be considered today because of pending bankruptcy court proceedings.

Supervisor Kennedy, seconded by Supervisor Migden, moved to continue consideration to May 9, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

[Eminent Domain]
Resolution authorizing acquisition of Lot 27 in Assessor's Block 2336 by eminent domain for the open space program, and to adopt findings pursuant to City Planning Code Section 101.1 (Hawk Hill). (Supervisor Maher)

File 219-94-2, Resolution No. 428-94

Supervisor Kennedy, seconded by Supervisor Migden, moved to continue consideration to May 9, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Robin Chelsea, Food Not Bombs literature;
Anna Gordon, Food Not Bombs literature;
R. J. Hampton, Food Not Bombs literature, camera bag;
Margaret Verges, clubs endorsing Independent Newspaper;
Joe O'Donohue, journalism article.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Hsieh requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Public Transportation]
Resolution making a finding concerning proposed revisions of the Municipal Railway fare schedule; companion measure to File 7-94-6. (Supervisor Hsieh)

(April 25, 1994 - Introduced in Board for consideration on May 2, 1994.)

File 7-94-6.1, Resolution No. 395-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend, Simeon Meadows White]
Resolution posthumously commending Simeon Meadows White for his lifelong activist commitment to public and community service and declaring April 23, 1994 "Simeon White Day" in San Francisco. (Supervisors Hallinan, Bierman, Alioto, Leal, Migden, Kaufman, Shelley, Maher, Kennedy, Hsieh, Conroy)

File 6-94-28, Resolution No. 393-94

(April 25, 1994 - Introduced in Board for consideration on May 2, 1994.)

Adopted.

[Used Oil Recycling Grant]
Resolution authorizing the Chief Administrative Officer of the City and County of San Francisco in conjunction with the other eight Bay Area counties, to apply for up to $500,000 in grant funding from the California Integrated Waste Management Board, for a regional used motor oil recycling educational campaign; waiving indirect cost. (Supervisors Shelley, Alioto)

File 133-94-2, Resolution No. 404-94

(April 25, 1994 - Introduced in Board for consideration on May 2, 1994.)

Adopted.

[Young Women's Parity]
Resolution supporting equal access to services for young women in San Francisco, urging the Mayor to urge city departments to focus on equal access for young women in San Francisco, and urging the city's state lobbyist to encourage San Francisco's legislative delegation in Sacramento to introduce and support legislation supporting equal access for young women on a statewide basis. (Supervisors Conroy, Alioto)

File 242-94-2, Resolution No. 405-94

(April 25, 1994 - Introduced in Board for consideration on May 2, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-18, Resolution No. 359-94

Willie B. Kennedy, member, Board of Supervisors, May 18 - 20; Mary Gomez Daddio, member, Human Rights

Commission, April 30 - May 4; Ann Halsted, member, Port Commission, May 11 - June 3, 1994.)

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Called from Committee

[General Assistance, General Grant Levels]
Ordinance amending Administrative Code by amending Section 20.57 (General Assistance Ordinance), relating to the computation of aid grants. (Department of Social Services)

File 097-94-018.

Called from Budget Committee by Supervisor Maher, with direction to schedule for Board meeting of May 9, 1994.

Referred to Committee

[Compensatory Time Off Pay Restrictions]
Ordinance amending Administrative Code by adding Section 18.14 to place restrictions on use and accrual of compensatory time off pay for certain highly paid classifications of city employees. Supervisors Leal, Kennedy, Kaufman, Migden, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 097-94-026.

[Nonconforming Business Wall Signs]
Ordinance amending City Planning Code by amending Sections 607 and 608, to allow replacing and modification of certain existing non-complying business wall signs in C-3 (Downtown Commercial) Districts and the Market Street Special Sign District and adopting findings pursuant to City Planning Code Section 101.1. Supervisors Leal, Kaufman, Hsieh, Maher, Conroy, Kennedy, Alioto, Hallinan, Shelley presented. Referred to Housing and Land Use Committee with request it be considered at the May 19, 1994 meeting.

File 115-94-005.

[Housing Maintenance Ordinance]
Draft ordinance relating to housing, establishing minimum maintenance and occupancy standards for rental housing in San Francisco; creating a Housing Maintenance Account to provide financing for maintenance and rehabilitation of rental housing; establishing a process for the appointment of receivers for rental housing that is purposefully left unoccupied; and providing penalties for violations. Supervisor Alioto presented. Referred to Housing and Land Use Committee.

File 247-94-001.

[Base Conversion Fund, Redevelopment Agency]
Resolution approving an amendment to the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1993-1994 to reflect receipt of a grant for base conversion activities from the U.S. Department of Defense and creating an office of military base conversion. Supervisor Shelley presented. Referred to Select Committee on Base Closures with request it be considered at the May 12, 1994 meeting.

File 161-93-005.02.

Referred to Board

[Youth Employment Fund, Redevelopment Agency]
Resolution urging the Redevelopment Agency Commission to amend its fiscal year 1988-89 budget to provide additional funds to the Mayor's High Risk Disadvantaged Youth Employment Program and to provide

jobs for citizens in the Bayview Hunters Point, Ocean- Merced-Ingleside and Visitacion Valley communities. Supervisors Kennedy, Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 9, 1994.

File 161-93-005.03.

[Federal Legislation, HR 4148, Gay/Lesbian Youth]
Resolution supporting the Gay and Lesbian Youth Suicide Prevention Act (HR 4148) which would establish a National Commission on Gay and Lesbian Youth Suicide Prevention. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 9, 1994.

File 013-94-013.

[In-Home Supportive Services Contract Award]
Draft resolution finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code, the Charter and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract (to non-profit agency) for the period July 1, 1994 through June 30, 1997. Supervisor Alioto presented. Referred to Board May 16, 1994 meeting.

File 172-94-017.01.

Referred to Committee

[Compensatory Time Off/Overtime Pay Accounting]
Resolution urging the Human Resources Department and urging the Controller to develop centralized, citywide standards for use, accrual and recordkeeping relating to compensatory time off and overtime pay. Supervisors Leal, Kaufman, Migden, Kennedy, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 251-94-003.

Referred to Board

[Compensatory Time Off Accounting System]
Resolution urging the Mayor to urge the Employee Relations Division and Human Resources Department to work with the Controller to develop a centralized accounting system for tracking the accrual of compensatory time, "comp time" hours. Supervisors Conroy, Hsieh, Alioto, Kennedy, Shelley, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar May 9, 1994.

File 251-94-004.

[Compensatory Time Off Policy and Procedures]
Resolution urging the Mayor, through the Office of Employee Relations Division, the Human Resources Department and all City departments and the Controller to develop a strategic plan with the Board of Supervisors to reform the practice of allowing compensatory time off, to develop standardized policies and procedures in the Administrative Code for the availability, accrual and record keeping of such hours and requiring regular reporting to the Board of Supervisors. Supervisors Conroy, Hsieh, Alioto, Kennedy, Shelley, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar May 9, 1994.

File 251-94-005.

Requests for Hearings:

[Consultant Contracts Within Departments]
Hearing to consider the number of consultant contracts in place within each department and the expenditure in excess of the authorized contract. Supervisors Conroy, Alioto presented. Reactivated pursuant to Board of Supervisors Rules; referred to Economic Vitality/Social Policy Committee.

File 223-93-001.

[Muni Transit System, Public and Driver Safety]
Hearing to consider the public and driver safety on the Municipal Railway transit system. Supervisor Kennedy presented. Referred to Housing and Land Use Committee.

File 007-94-007.

[Franchise Fee Audit of Viacom for 1991 and 1992]
Hearing to consider the Budget Analyst's Franchise Fee Audit of Viacom for 1991 and 1992. Supervisor

Bierman presented. Referred to Budget Committee with request it be considered at the May 11, 1994 meeting.

File 032-94-002.

[Televised Weekly Meetings, Full Board]
Hearing to consider the feasibility of televising the weekly meetings of the full Board of Supervisors through the Citywatch TV channel. Supervisor Kennedy presented. Referred to Budget Committee.

File 054-94-003.

[Budget Analyst Zero Base Budget Report]
Hearing to consider the Budget Analyst's Zero Base Budget Report. Supervisors Hsieh, Alioto presented. Referred to Budget Committee.

File 100-94-007.01.

[Examiner/S.F. Newspaper Agency/Chronicle]
Hearing to consider if and how the City, its residents, government and its businesses are being hurt by the San Francisco Examiner through its joint operating agreement with the San Francisco Newspaper Agency and the Chronicle. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the May 24, 1994 meeting.

File 112-94-002.

[Parking Meters To Accept Nickels/Dimes/Quarters]
Hearing to consider requiring parking meters to accept nickels and dimes as well as quarters. Supervisors Maher, Alioto presented. Referred to Housing and Land Use Committee.

File 124-94-005.

[In-Home Supportive Services Contract Award]
Hearing of persons interested in or objecting to finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code, the Charter and the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract to a non-profit agency. Supervisor Alioto presented. Referred to Board for public hearing on May 16, 1994.

File 172-94-017.

[Compensatory Time Off]
Hearing to consider the Budget Analyst report on Compensatory Time Off; legislation reforming the accrual of compensatory time off in various departments; record keeping and legislation limiting compensatory time for certain positions. Supervisor Conroy presented. Referred to Budget Committee with request it be considered at the May 4, 1994 meeting.

File 251-94-002.

[Compensatory Time, Abuse of]
Hearing to consider abuse of compensatory time. Supervisor Conroy presented. Referred to Government Efficiency/Labor Committee.

File 251-94-006.

Motions

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 9, 1994.

File 30-94-001.09.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-94-026. [Settlement of Litigation, Benjamin S. Chavez] Ordinance authorizing settlement of litigation of Benjamin S. Chavez against the City and County of San Francisco, by payment of $32,418.55; companion measure to File 41-94-2; (also see File 41-92-4.) (Superior Court No. 948-706) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 102-93-034. [Muni-Add 13 & Delete 4 Positions; PUC-Delete 1] Ordinance amending Annual Salary Ordinance No. 242-93 (Annual Salary Ordinance, 1993-94) reflecting the creation of thirteen positions and the deletion of four positions in the Municipal Railway and the deletion of one position at the Public Utilities Commission; companion measure to File 101-93-114. (Department of Human Services) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-94-013. [Contract Out, Security Guard Services] Resolution concurring with the Controller's certification that the weekend and holiday security guard services can be practically performed for the Department of Public Health, SFGH, Substance Abuse Services, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 038-94-004. [Gift Acceptance, S.F. Library Foundation] Resolution authorizing the San Francisco Public Library to accept and expend a gift from the Library Foundation of San Francisco in the amount of $1,711,000 to fund various building enhancements, furnishings, and equipment for the new main library. (Public Library) Referred to Government Efficiency/Labor Committee.

File 041-94-002. [Revised Assessment for Costs, 22-30 Alta Street] Resolution confirming the report of revised assessment of costs submitted by the Director of Public Works for services ordered to be rendered by the Director pursuant to the provisions of Sections 203(m) and 203(o) of the San Francisco Building Code; the costs thereof having been paid for out of the Repair and Demolition Fund. (See Files 41-92-4 and 45-94-26.) (Department of Public Works) Scheduled for public hearing before Board on May 23, 1994 at 3:00 p.m.

File 147-94-003. [Federal Grant, Purchase of Video Equipment] Resolution authorizing the San Francisco Public Library to apply for funds not to exceed $583,779 available through the United States Department of Commerce/National Technology Information Administration (NTIA) for the purchase of broadcast-quality video equipment for the purpose of establishing the Channel 54 headend and City Hall broadcast sites; indirect costs are included in this grant award. (Public Library) Referred to Government Efficiency/Labor Committee.

File 172-94-015. [Log Cabin Ranch Water Transfer] Resolution ratifying the Juvenile Probation Commission's contract for the purchase of water for the domestic and irrigation water supply of Log Cabin Ranch. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter of congratulations be sent to the African National Congress leader and new President-elect Nelson Mandela and the people of South Africa.

By Supervisor Kennedy, that City Attorney draft ordinance which would amend the Planning Code to allow drive-thru fast-food restaurant at Third and Yosemite.

By Supervisors Migden, Alioto, that City Attorney review, prepare and approve as to form draft ordinance amending Administrative Code Sections 20.56.10 and 20.57 (General Assistance Ordinance) relating to allowable personal property and income disregard.

By Supervisor Alioto, that City Attorney prepare appropriate legislation which would indemnify the Sony Corporation against a possible breach of contract resulting from the City and County removal of the Marlboro billboard at Candlestick Park.

By Supervisor Alioto, that City Attorney draft ordinance which would allow General Assistance recipients to establish and hold bank accounts.

By Supervisor Alioto, that City Attorney draft ordinance which would allow General Assistance recipients to receive loans and not declare them as income.

By Supervisor Bierman, that letter be sent to Viacom requesting they remit to the City the understated franchise fees owed for calendar years 1991 and 1992 estimated at $163,899, as well as directly related franchise fees to the City that were not remitted for the years before 1991 and after 1992. File 32-94-2.

By Supervisor Bierman, that letter be sent to the Controller requesting he collect the estimated $163,899 in understated franchise fees owed by Viacom to the City for calendar years 1991 and 1992 based on understatements of gross receipts and possible additional franchise fees to the City that were understated and not remitted for the years before 1991 and after 1992 as reported in the Budget

Analyst's audit. File 32-94-2.

By Supervisor Bierman, that City Attorney prepare ordinance which would amend the franchise agreement to specifically allow Viacom to exclude from its gross receipts reports to the City the value of free services to non-profit organizations that provide residential or other humanitarian services.

By Supervisor Bierman, that City Attorney prepare ordinance which would allow the understated franchise fee for calendar years 1991 and 1992 estimated at $163,899 to be used to underwrite the expenses of the Citywatch T.V. channel.

By Supervisors Maher, Alioto that City Attorney prepare ordinance which would amend the Traffic Code to require parking meters to accept nickels, dimes, as well as, quarters. File 124-94-5.

By Supervisor Conroy, that City Attorney prepare ordinance similar to the Dallas curfew ordinance for San Francisco.

By Supervisors Conroy, Hsieh, Alioto, Kennedy, Shelley, Leal that City Attorney prepare appropriate legislation which would require pre-approval be sought prior to an employee receiving an approval to work extra hours, development of centralized bookkeeping in the Controller's Office to track all comp time hours; change the administrative Code to limit the availability of comp time hours, to place a cap on the number of hours allowed to be accrued or carried forward to the next year, to set a clear policy as to when comp time is allowable and appropriate and to require departments to report to the Board of Supervisors on a quarterly basis all accrued and newly accrued comp time hours.

By Supervisor Alioto, that City Attorney review, prepare and approve as to form the draft housing maintenance ordinance. File 247-94-1.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Rosa Lee Lawrence (Supervisor Kennedy)
Irene Williams (Supervisor Kennedy)

File 2-94-18

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:16 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 16, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, May 9, 1994

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 89 Number 19

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 9, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden - 7.

Noted absent at first roll call:

Supervisors Hsieh, Kennedy, Maher, Shelley - 4.

Quorum present.

Supervisor Kennedy was noted present at 2:12 p.m.

Supervisor Maher was noted present at 2:13 p.m.

Supervisor Shelley was noted present at 2:14 p.m.

Supervisor Hsieh was noted present at 5:40 p.m.

Presentation Made

Supervisor Kennedy, seconded by Supervisor Migden, moved to suspend the Rules of Order of the Board of Supervisors so that representatives Supervisor Kennedy could make a presentation to Sam Jordan, "Mayor of Butchertown".

There being no objection, motion carried.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Leal, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, April 25, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

CONSENT CALENDAR

Severed from Consent Calendar

Supervisor Bierman requested that the following measure be severed from the Consent Calendar and considered separately.

Recommendation of Government Efficiency and Labor Committee

Rereferred to Budget Committee

[In-Home Supportive Services Contract Award 1994-97]
Resolution finding that the General Manager of the Department of Social Services of San Francisco has complied with the requirements of the Administrative Code and the Charter of San Francisco and the

provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract. (Department of Social Services)

File 172-94-14, Resolution No.

Supervisor Bierman, seconded by Supervisor Maher, moved to rerefer to the Budget Committee with request to consider on May 18, 1994 meeting.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

The Board thereupon resumed its consideration of the following items on the Consent Calendar.

Consent Calendar

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Health]
Ordinance appropriating $2,187,253, Department of Public Health, from Health Care MIS Reserve to implement a computer system for Medi-Cal Managed Care for fiscal year 1993-94 (includes salaries, mandatory fringe benefits, professional services, materials and supplies and equipment); subject of previous budgetary denial; placing $895,700 on reserve. (Supervisors Alioto, Hsieh)

File 101-93-109, Ordinance No. 197-94

Finally passed.

[Appropriation, Airport]
Ordinance appropriating $147,629, Airports Commission from the Airport operating fund balance to implement the Airport Master Plan for fiscal year 1993-94 (includes permanent salaries and mandatory fringe benefits, for the creation of twenty-three position). (Controller)

File 101-93-111, Ordinance No. 198-94

Finally passed.

[Public Employment, Adding 23 Positions]
Ordinance amending the Annual Salary Ordinance No. 242-93, reflecting the addition of twenty-three positions, Airport; companion measure to File 101-93-111. (Department of Human Resources)

File 102-93-33, Ordinance No. 199-94

Finally passed.

[Appropriation, Board of Supervisors]
Ordinance appropriating $43,260, Board of Supervisors, for salaries to hear property tax assessment appeals for fiscal year 1993-94, funded from the General Fund Reserve ($9,264), rescission of mandatory fringe benefits ($20,781) and anticipated fees ($13,215). (Supervisor Alioto)

File 101-93-112, Ordinance No. 200-94

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of the Insurance Company of the West]
Ordinance authorizing settlement of Insurance Company of the West against the City and County of San Francisco by payment of $9,000. (City Attorney)

File 45-94-21, Ordinance No.

(Municipal Court No. 97-892)

Passed for second reading.

[Settlement of Litigation, Troy Smith]
Ordinance authorizing settlement of litigation of Troy Smith against the City and County of San Francisco by payment of $40,000. (City Attorney)

File 45-94-22, Ordinance No.

(United States District Court No. C92-2444)

Passed for second reading.

[Settlement of Litigation, Ky Sam Ha]
Ordinance authorizing settlement of litigation of Ky Sam Ha, et al. against the City and County of San Francisco by payment of $8,000. (City Attorney)

File 45-94-23, Ordinance No.

(Superior Court No. 932-805)

Passed for second reading.

[Litigation, Charles W. and Jacqueline Pollitt Marsh]
Ordinance authorizing settlement of litigation of Charles W. Marsh and Jacqueline P. Marsh against Joseph M. Lutisaw; Pacific Bell; Southern Pacific Line; Neil Wadell and the City and County of San Francisco by payment of $10,000. (City Attorney)

File 45-94-24, Ordinance No.

(Superior Court No. 950-724)

Passed for second reading.

Adopted

[Unlitigated Claim, Empire Fire and Marine Insurance]
Resolution approving the settlement of the unlitigated claim of Empire and Marine Insurance Company by payment of $10,946.50. (Insured: Beatrice Taylor) (City Attorney)

File 48-94-5, Resolution No. 413-94

Adopted.

[Unlitigated Claim, Laura Porras]
Resolution approving the settlement of the unlitigated claim of Laura Porras by payment of $8,500. (City Attorney)

File 48-94-6, Resolution No. 414-94

Adopted.

[Contracting Out Day Laborer Services]
Resolution concurring with the Controller's certification that services included within the San Francisco Day Laborer Program can be practically performed at the Mayor's Office of Community Development by private contractor for lower cost than similar work services performed by City and County employees. (Mayor's Office of Community Development)

File 25-94-9, Resolution No. 412-94

Adopted.

[Lease of Property at Fox Plaza, 1390 Market Street]
Resolution authorizing a lease renewal at Fox Plaza, 1390 Market Street, for the Employee Relations Division of the Department of Human Services. (Real Estate Department)

File 64-94-7, Resolution No. 415-94

Adopted.

[SDI Coverage, Classification 2968]
Resolution authorizing enrollment of Classification 2968, Social Services Manager, Investigations, in the State Disability Insurance Program. (Employee Relations Division)

File 89-94-13, Resolution No. 418-94

Adopted.

[SDI Coverage, Classification 1376]
Resolution authorizing enrollment of Classification 1376, Special Assistant XVII, in the State Disability Insurance Program. (Employee Relations Division)

File 89-94-14, Resolution No. 419-94

Adopted.

[Special Use Permit Transfer with the USFS]
Resolution authorizing Hetch Hetchy and Power to apply for a special use permit transfer with the U.S. Department of Agriculture, Forest Service. (Public Utilities Commission)

File 191-94-1, Resolution No. 427-94

Adopted.

[Acquisition - Noise Easements]
Resolution authorizing acquisition of ten noise easements in the City of Millbrae as part of the City of Millbrae's Aircraft Noise Insulation Project - Phase III. (Real Estate Department)

File 82-94-4, Resolution No. 417-94

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Consideration Continued

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1994.

(April 4, 1994 - Passed for second reading.)
(April 11, 1994 - Finally Passed.)
(April 22, 1994 - Returned disapproved by the Mayor.)
(May 2, 1994 - Consideration continued to May 9, 1994.)

File 106-94-1, Ordinance No.

Supervisor Hallinan, seconded by Supervisor Hsieh, moved to continue consideration to May 16, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

From Government Efficiency and Labor Committee Without Recommendation

Adopted

[Official Newspaper-Fiscal Year 94/95]
Resolution designating the San Francisco Examiner to be the official newspaper of the City and County of San Francisco, commencing July 1, 1994, for specified categories of official advertising. (Purchasing Department)

File 112-94-1.1, Resolution No. 432-94

(May 2, 1994 - Consideration continued to May 9, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisors Conroy, Hallinan, Kennedy - 3.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

(Supervisor Hallinan dissenting in Committee.)

[Medical and Laboratory Services]
Ordinance amending Administrative Code which authorizes the Health Commission and the Purchaser to enter into an agreement with the University of California for the provision of medical and laboratory services at San Francisco General Hospital beginning July 1, 1959. (Department of Public Health)

File 97-94-4, Ordinance No.

(Repeals Section 19.A.11)

(May 2, 1994 - Consideration continued to May 9, 1994.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Hsieh, Maher - 2.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

(Supervisor Hallinan dissenting in Committee.)

[Affiliation Agreement]
Ordinance authorizing the Director of Public Health and the Purchaser to execute an affiliation agreement between the City and County of San Francisco and the Regents of the University of California for the provision of patient care services at San Francisco General Hospital. (Department of Public Health)

File 172-94-3, Ordinance No.

(May 2, 1994 - Consideration continued to May 9, 1994.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Hsieh, Maher - 2.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Department of Public Works]
Ordinance appropriating and rescinding $5,422,479, Department of Public Works, 1990 Earthquake Safety Bond monies to transfer funds from various capital improvement projects to Performing Arts Building Project (Civic Auditorium Seismic Upgrade) for fiscal year 1993-94; placing $1,604,303 on reserve. (Supervisor Hsieh)

File 101-93-113, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Citywide Radio System Lease]
Ordinance providing for the approval and execution and delivery by officers of the City and County of San Francisco of a Master Lease Agreement and a First Lease Supplement, each between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee for the lease-financing of the first phase of the Citywide 800 MHz Trunking Radio System; providing for the approval and execution of an agency agreement between the City and County of San Francisco Finance Corporation and the City and County of San Francisco with respect to the Citywide Radio System to be used for City purposes; approving the issuance of Lease Revenue Bonds by the Corporation; providing for the execution of other documents related to the actions authorized by the Board; and ratifying related actions previously taken. (Chief Administrative Officer)

File 170-94-6, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Consideration Continued

(Supervisor Alioto dissenting in Committee.)

[Appropriation, Municipal Railway]
Ordinance appropriating and transferring $50,062 for salaries, fringe benefits and work order services, creating ten positions and deleting three positions at the Municipal Railway; rescinding $14,955 for salaries, fringe benefits and work order services, deleting one position at the Public Utilities Commission for fiscal year 1993-94 (Implement Proposition M, create Transportation Commission). (Controller)

File 101-93-114, Ordinance No.

Supervisor Migden, seconded by Supervisor Conroy, moved to continue consideration to May 23, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

(Supervisor Alioto dissenting in Committee.)

[Municipal Railway, Add 10 positions/delete three positions]
Ordinance amending the Annual Salary Ordinance No. 242-93, reflecting the creation of ten positions and the deletion of three positions in the Municipal Railway and the deletion of one position at the Public Utilities Commission; companion measure to File 101-93-114. (Department of Human Services)

File 102-93-34, Ordinance No.

Supervisor Migden, seconded by Supervisor Conroy, moved to continue consideration to May 23, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Request Granted

In connection with the above two items, Supervisor Kaufman requested clarification from the Public Utilities Commission, the Controller and the Department of Human Services as to the number of positions to be added.

No objection and Clerk to send letter.

Adopted

[Public Hearing - Eminent Domain]
Motion directing the Board of Supervisors to hold a public hearing on June 6, 1994, at 3:00 p.m. to consider adopting a resolution of necessity in connection with a proposal to acquire Lot 76 in Assessor's Block 2949A in San Francisco (O'Shaughnessy Hollow) by eminent domain for the Open Space Program. (Real Estate Department)

File 168-94-2.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

From Budget Committee Without Recommendation

Consideration Continued

[Eminent Domain]
Resolution authorizing acquisition of Lot 76 in Assessor's Block 2949A (O'Shaughnessy Hollow) by eminent domain for the Open Space Program, and to adopt findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 168-94-2.1, Resolution No.

Supervisor Bierman, seconded by Supervisor Kennedy, moved to continue consideration to June 6, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution appointing member to the Hazardous Materials Advisory Committee. (Rules Committee)

File 92-93-63, Resolution No. 420-94

(Aurea Luis-Carnes, vice C. Jeffrey Bramlett, resigned, for unexpired portion of four-year term ending July 1, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Appointment]
Resolution appointing member to the Hazardous Materials Advisory Committee; making findings waiving residency requirement. (Rules Committee)

File 92-94-9, Resolution No. 421-94

(Mark Galbo, vice Patricia Hiatt, resigned, for unexpired portion of four-year term ending July 1, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Appointments]
Resolution appointing members to the Citizens Advisory Committee on Elections, for unexpired portion of four-year term ending May 15, 1998. (Rules Committee)

File 92-94-16, Resolution No. 422-94

(Peter Nardoza, vice Richmond Young, resigned,
Martha Knutzen, vice Brian Mavrogeorge, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Appointment]
Resolution appointing member to the Environmental Commission. (Rules Committee)

File 92-94-17, Resolution No. 423-94

(Anne L. Eng, vice herself, term expired, for the three-year term ending May 12, 1997.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Appointment]
Resolution appointing member to the Telecommunications Policy Committee. (Rules Committee)

File 92-94-20, Resolution No. 424-94

(Carol C. Hull, vice John Van Heusden, resigned, for unexpired portion of two-year term ending February 1, 1996.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading as Amended

[Designation of Official Newspaper]
Ordinance amending Administrative Code, which sets forth a procedure for designating the City's official newspaper, by allowing the Board of Supervisors, by resolution, to reject the recommendation of the Purchaser for the awarding of the contract for the City's official newspaper and to award the contract to a reliable and responsible bidder or bidders that may not have submitted the lowest bid. (Supervisor Hallinan)

File 97-94-24, Ordinance No.

(Article IX, Section 2.81)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisors Bierman, Hsieh, Maher - 3.

Passed for Second Reading

[Sublease, 25 Van Ness Avenue, Suite 710]
Ordinance authorizing and approving sublease of City-owned property at 25 Van Ness Avenue, Suite 710 (lot 4, Block 834) to Carl Wolf, Attorney at Law, commencing retroactively to May 1, 1994. (Real Estate Department)

File 65-94-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Adopted

[AFDC, SSI/SSP, IHSS and GA Grant Funding]
Resolution opposing grant reductions and program restrictions and condemning other State Legislative efforts to reduce or restrict entitlements to Aid to Families with Dependent Children (AFDC), Social Security Income/State Supplemental Program (SSI/SSP), In-Home Support Services (IHSS), Medi-Cal and General Assistance (GA). (Supervisors Bierman, Alioto)

File 12-94-12, Resolution No. 410-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Summer Food Program]
Resolution authorizing the Mayor to apply for, accept and expend $794,108 from the United States Department of Agriculture (USDA) to sponsor the Summer Food Service Program for needy children in San Francisco from May 1, 1994 to May 1, 1995; providing for ratification of action previously taken. (Mayor's Office of Children, Youth, and Families)

File 68-94-9, Resolution No. 416-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[Grant - Federal Funds]
Resolution authorizing the Recreation and Park Department to retroactively apply for a grant in the amount of $200,000 from the Urban Parks and Recreation Recovery Act for renovation of Chinese Playground. (Recreation and Park Department)

File 150-94-1, Resolution No. 425-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Consideration Continued

[Self-Insurance for Workfare Participants]
Resolution recognizing General Assistance recipients who participate in the workfare program as "employees" for purposes of workers compensation insurance coverage; urging the Mayor to urge the Retirement Board to include General Assistance workfare participants in the City's workers compensation self-insurance pool; and urging the Mayor to urge the Department of Social Services to request funds in its budget to cover the cost on any claims liability incurred as a result of an injury to a General Assistance workfare participant. (Department of Social Services)

File 210-94-1, Resolution No.

Supervisor Hallinan, seconded by Supervisor Leal, moved to continue consideration to May 16, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

[Mission Bay Transportation Projects Agreement]
Resolution approving the Mission Bay Transportation Projects Agreement, amended, and approving the proposed revisions as within the scope of and as adequately described in the program EIR. (City Attorney)

File 255-94-1, Resolution No.

(The Mission Bay EIR is a program EIR pursuant to Section 15168 of the California Environmental Quality Act. The Board may find that the proposed revisions to the Transportation Projects Agreement are within the scope of the program EIR and are adequately described, for the purposes of CEQA, in the program EIR. This finding is based on EIR Addendum, "Memorandum to City Planning File 86.505E, dated March 24, 1994.)

Supervisor Bierman, seconded by Supervisor Maher, moved to continue consideration to May 16, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden - 8.

Absent: Supervisors Conroy, Kennedy, Shelley - 3.

Adopted

[Railroad Signal Upgrade]
Resolution authorizing the Executive Director of the Department of Parking and Traffic to commit 10% local share (estimated to be $20,237) of the total cost for the upgrade of railroad grade crossing safety devices at the intersections of 3rd Street and Arthur Way and Evans Avenue and Rankin Street, with the balance of funds to be provided by Federal funds. (Department of Parking and Traffic)

File 192-94-1, Resolution No. 406-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

Called from Budget Committee
by Supervisor Maher

Passed for Second Reading

[General Assistance, General Grant Levels]
Ordinance amending Administrative Code, relating to the computation of aid grants. (Department of Social Services)

File 97-94-18, Ordinance

(Amends Section 20.57)

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could

participate in the debate from the floor.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Noes: Supervisors Alioto, Shelley - 2.

The President resumed the Chair.

Conference with Labor Negotiator -- Collective Bargaining

Consideration Continued

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources, and with Thornton C. Bunch, Employee Relations Director, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

Supervisor Kaufman, seconded by Supervisor Bierman, moved to continue consideration to May 16, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Maher assumed the Chair.

From the President

Report Received

[Warriors, Arena]
Report from the Mayor's Office on the status of negotiations with the Warriors about coming to San Francisco and any related or independent plans for an arena. (Supervisors Migden, Alioto)

File 238-94-1

(April 11, 1994 - Consideration continued to May 9, 1994.)

Report received; filed.

SPECIAL ORDER - 3:00 p.m.

Hearing Held

[Public Hearing]
Hearing to consider whether to acquire Hawk Hill (Lot 27 in Assessor's Block 2336) by eminent domain. (Supervisor Maher)

File 219-94-1

(May 2, 1994 - Consideration continued to May 9, 1994.)

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Timothy Treacy, Harold Wright, Jay Brigg, Bruce Krell, Andy Forrest, Greg Garr, Laurel Stanley, Sylvia Duffy, Sandra, Elizabeth Bentley, Walt Farrell, Evelyn, William Hong, Kay Yanamoto, Scott Hepburn, Betty Pennebaker, Joseph Bertain, Hugh Pennebaker, Estelle Fenton.

There being no one else present wishing to speak, the President declared the hearing closed.

Adopted

[Eminent Domain]
Resolution authorizing acquisition of Lot 27 in Assessor's Block 2336 by eminent domain for the open space program, and to adopt findings pursuant to City Planning Code Section 101.1 (Hawk Hill). (Supervisors Maher, Bierman, Conroy, Alioto, Migden, Shelley, Leal, Kaufman)

File 219-94-2, Resolution No. 428-94

(May 2, 1994 - Consideration continued to May 9, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Bierman, Conroy, Alioto, Migden, Shelley, Leal, Kaufman requested to be added as co-sponsors.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of appeal from decision of the City Planning Commission by its Motion No. 13658, dated March 17, 1994, approving Conditional Use Application No. 92.397C, authorizing establishment of a community facility and childcare center defined by Sections 290.4(a) and 209.3(f), respectively of the Planning Code within an RM-3 (Residential Mixed, Medium Density), and a 40-X Height and Bulk District of property located at 1290-1294 Potrero Avenue (also known as the Good Samaritan Church and Good Samaritan Community Center).

File 37-94-1.

The following persons were sworn in and granted privilege of the floor:

Appellants:

James Riggs, Victor Morrales

Respondents:

Kat Taylor, Daniel Hernandez, Bishop William Swigg, Rob Burton, Betty Cantos, Hilda Bernstein, Maria, Rev. Ivan Ramirez, Karen Klein, Carmen Alivanez, Ana Zultz, Paula Dallas Peoples, Juan, Tonya Pope, Petra Chavez, Sylvia Ramirez.

There being no one else present wishing to speak, the President declared the hearing closed.

Adopted

[Environmental Review]
Motion certifying review of final negative declaration relating to proposed conditional use of property located at 1290-1294 Potrero Avenue.

File 37-94-1.1.

Supervisor Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Maher - 3.

[Zoning Appeal]
Motion approving decision of the City planning Commission by its Motion No. 13658, approving Conditional Use Application No. 92-397C, of property located at 1290-1294 Potrero Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-94-1.2

Supervisor Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Maher - 3.

Tabled

[Zoning Appeal]
Motion disapproving decision of the City Planning Commission by its Motion No. 13658, approving conditional use application No. 92.397C, of property located at 1290-1294 Potrero Avenue, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-94-1.3

Supervisor Kennedy, seconded by Supervisor Leal, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Maher - 3.

Adopted

[Findings]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 92.397C of property located at 1290-1294 Potrero Avenue.

File 37-94-1.4

Supervisor Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Maher - 3.

The President resumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Tavai Fiatoa, Geneva Towers.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Federal Legislation, HR 4148, Gay/Lesbian Youth]
Resolution supporting the Gay and Lesbian Youth Suicide Prevention Act (HR 4148) which would establish a National Commission on Gay and Lesbian Youth Suicide Prevention. (Supervisor Alioto)

File 13-94-13, Resolution No. 411-94

(May 2, 1994 - Introduced in Board for consideration on May 9, 1994.)

Adopted.

[Youth Employment Fund, Redevelopment Agency]
Resolution urging the Redevelopment Agency Commission to amend its fiscal year 1988-89 budget to provide additional funds to the Mayor's High Risk Disadvantaged Youth Employment Program and to provide jobs for citizens in the Bayview Hunters Point, Ocean- Merced-Ingleside and Visitacion Valley communities. (Supervisors Kennedy, Bierman, Alioto)

File 161-93-5.3, Resolution No. 426-94

(May 2, 1994 - Introduced in Board for consideration on May 9, 1994.)

Adopted.

[Compensatory Time Off Accounting System]
Resolution urging the Mayor to urge the Employee Relations Division and Human Resources Department to work with the Controller to develop a centralized accounting system for tracking the accrual of compensatory time, "comp time" hours. (Supervisors Conroy, Hsieh, Alioto, Kennedy, Shelley, Leal)

File 251-94-4, Resolution No. 429-94

(May 2, 1994 - Introduced in Board for consideration on May 9, 1994.)

Adopted.

[Compensatory Time Off Policy and Procedures]
Resolution urging the Mayor, through the Office of Employee Relations Division, the Human Resources Department and all City departments and the Controller to develop a strategic plan with the Board of Supervisors to reform the practice of allowing compensatory time off, to develop standardized policies and procedures in the Administrative Code for the availability, accrual and record keeping of such hours and requiring regular reporting to the Board of Supervisors. (Supervisors Conroy, Hsieh, Alioto, Kennedy, Shelley, Leal)

File 251-94-5, Resolution No. 430-94

(May 2, 1994 - Introduced in Board for consideration on May 9, 1994.)

Adopted.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisor Alioto)

File 30-94-1.9

(May 2, 1994 - Introduced in Board for consideration on May 9, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Kennedy, Maher - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Shelley requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Referred to Government Efficiency and Labor Committee

[International Federation of Professional and Technical Engineers]
Resolution ratifying the administrative provisions of the Arbitrator's Award regarding the terms and

conditions of employment for employees represented by the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO for the term July 1, 1994 through June 30, 1997. (Supervisor Shelley)

File 93-94-12, Resolution No.

Supervisor Shelley, seconded by Supervisor Hallinan, moved to refer to Government Efficiency and Labor Committee with request it be considered at the May 17, 1994.

Motion to refer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Noes: Supervisors Hsieh, Kennedy, Maher - 3.

The Board thereupon resumed its consideration of the following item on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-19, Resolution No. 391-94

(Carole Migden, member, Board of Supervisors, May 6 - 8; Preston Cook, member, Port Commission, May 4 - 6; Jim Mayo, member, Human Rights Commission, May 12 - 16 and 24 - 26; Patrick A. Murphy, President, Airports Commission, May 4; John Newlin, Executive Director, Department of Parking and Traffic, May 20 - 26; Michael S. Strunsky, member, Airports Commission, May 5 - 8, 1994.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Kennedy, Maher - 3.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board adopted the following motions. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

Adopted

[Purely Commendatory Finding]
Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Conroy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Kennedy, Maher - 3.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Conroy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Kennedy, Maher - 3.

Adopted

[Commending Senator Feinstein]
Resolution commending Senator Feinstein for her outstanding leadership in securing passage on May 5, 1994 by the U.S. House of Representatives and previously by the U.S. Senate of a comprehensive ban on the sale and manufacture of semiautomatic assault weapons; commending Congresswoman Nancy Pelosi for her leadership and work; commending victims and victims' families.

File 6-94-32, Resolution No. 392-94

Supervisors Leal, Migden, Alioto, Kaufman, Hsieh, Bierman, Kennedy, Hallinan, Conroy, Shelley presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Hsieh, Kennedy, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Arbitrator's Award, Local 21]
Ordinance implementing the fiscal provisions of the Arbitrator's Award regarding the compensation of classifications represented by the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO for the period July 1, 1994 through June 30, 1995. Supervisor Shelley presented. Referred to Government Efficiency/Labor Committee.

File 093-94-012.01.

[Compensatory Time Off Restrictions/Limits]
Draft ordinance amending Administrative Code by adding Section 18.15 to restrict the availability, use and accrual of compensatory time off pay for certain city employees (maximum pay greater than $60,000). Supervisor Conroy presented. Referred to Budget Committee with request it be considered at the May 18, 1994 meeting.

File 097-94-029.

[Compensatory Time Off Record-keeping]
Draft ordinance amending Administrative Code by adding Section 18.15 to require centralized record-keeping of compensatory time off pay. Supervisor Conroy presented. Referred to Budget Committee with request it be considered at the May 18, 1994 meeting.

File 097-94-030.

[Compensatory Time Off Restrictions]
Draft ordinance amending Administrative Code by adding Section 18.14 to restrict the availability, use and accrual of compensatory time off pay for certain city employees (annual maximum pay greater than $90,000). Supervisor Conroy presented. Referred to Budget Committee with request it be considered at the May 18, 1994 meeting.

File 097-94-031.

[Budget Review Mission and Goal Statement]
Ordinance amending Administrative Code by amending Section 3.17-1 to require each City department and agency to relate its budget review justifications to its mission and goals statement and three-year program priority assessment and phasing in requirements over three years. Supervisors Kaufman, Shelley, Migden, Leal, Kennedy, Conroy presented. Referred to Budget Committee.

File 097-94-032.

[Mission and Goals Statement]
Ordinance amending Administrative Code by adding Section 3.18 to require each City board, commission and department annually to submit to the Mayor a written mission and goals statement which also reports the body's success in meeting those standards during the prior year, to require the Mayor annually to develop a written City mission and goals statement which also reports the City's success in meeting those standards during the prior year and to transmit that and the individual mission and goals statements to the Board of Supervisors; to require each City board, commission and department annually to rank its programs and services in writing from "most essential" to "least essential" on a three-year time horizon, to require the Mayor annually to rank in writing all government programs and services from "most essential" to "least essential" on a three-year time horizon and to present that ranking and the individual rankings to the Board of Supervisors; to require each City board, commission and department annually to present a written three-year budget plan to the Controller, to require the Controller to transmit those three-year budget plans to the Mayor, to require the Mayor to create a written three-year budget plan for the City and to transmit that and the individual three-year budget plans to the Board of Supervisors, and all City boards, commissions and departments to consider their mission and goals statements, three-year program program priority assessments and three-year budget plans when composing their budgets for the next fiscal year. Supervisors Kaufman, Shelley, Migden, Leal, Kennedy, Conroy presented. Referred to Budget Committee.

File 097-94-033.

[Veterans' Affairs Commission, Waive Residency]
Ordinance amending Administrative Code by amending Section 5.102 to allow the Board of Supervisors to waive the residency requirement for membership on this commission, consistent with Section 8.100 of the City Charter. Supervisors Kaufman, Kennedy, Leal presented. Referred to Rules Committee with request to consider at May 17, 1994 meeting.

File 097-94-034.

[Compensatory Time, Restrictions]
Draft ordinance amending Administrative Code by adding Section 18.14 to restrict the availability, use and accrual of compensatory time off pay for certain city employees and to centralize the record-keeping of all compensatory time off pay accruing to and used by all city employees. Supervisor Conroy presented. Referred to Budget Committee with request it be considered at the May 18, 1994 meeting.

File 097-94-035.

[Transient Occupancy Tax]
Ordinance amending Part III of the Municipal Code by adding Section 502.7 to temporarily suspend Sections 502 (imposition of and rate of tax), 502.5 (imposition of surcharge) and 502.6 (imposition of a 1.25 percent surcharge) in certain redevelopment project areas; adding Section 502.8 to impose a 12 percent tax on occupancies of guest rooms in hotels located in certain redevelopment project areas, providing a credit for transient occupancy taxes paid to the San Francisco Redevelopment Agency; adding Section 515.2 to provide that all percentage allocations calculated under Section 515 shall be based on the sum of the monies deposited in the hotel room tax fund plus two-thirds of the revenues generated from the transient occupancy tax levied within certain redevelopment project areas and providing for a reduction of the amount of hotel tax revenues allocated to the Chief Administrative Officer for convention facilities activities; and amending Section 517 to provide that a violation of any provision of the Redevelopment Agency transient occupancy tax ordinance shall constitute a misdemeanor. Supervisor Bierman presented. Referred to Budget Committee with request it be considered at the May 18, 1994 meeting.

File 127-94-004.

[Real Property Transfer Tax, Domestic Partners]
Ordinance amending Part III, Municipal Code, by amending Section 1108.1 relating to real property transfer tax exemption, dissolution of marriage, etc. pertaining to domestic partners. Supervisors Migden, Alioto presented. Referred to Budget Committee.

File 127-94-005.

Referred to Board

[Cerebral Palsy Awareness Week]
Resolution declaring Friday, June 17, 1994 as United Cerebral Palsy's Casual Day and the week of June 12 to June 18, 1994 as Cerebral Palsy Awareness Week in the City and County of San Francisco. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 16, 1994.

File 004-94-014.

[First Annual Seniors' Night Out]
Resolution commending members of the Bay Area Independent Elders Program and acknowledging May 28, 1994 as First Annual Seniors' Night Out. Supervisors Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 16, 1994.

File 006-94-029.

[Commending Carlton B. Goodlett and Sun-Reporter]
Resolution commending Carlton B. Goodlett on his 80th birthday for his many years of outstanding commitment and tireless leadership to the local, national and international communities and congratulating the Sun-Reporter on its 50th Anniversary. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 16, 1994.

File 006-94-030.

[International AIDS Candlelight Memorial]
Resolution supporting the Eleventh International AIDS Candlelight Memorial and Mobilization, and commending Mobilization Against AIDS for its outstanding work in coordinating the International Candlelight Memorial and Mobilization. Supervisors Alioto, Shelley, Bierman, Hallinan, Hsieh, Leal, Kaufman, Maher, Conroy, Kennedy, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar May 16, 1994.

File 006-94-031.

Referred to Board

[Child Study Center at SF State University]
Resolution urging the Governor and the Legislature to support a budget augmentation of $90,000 on behalf of the Child Study Center at San Francisco State University. Supervisors Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 16, 1994.

File 012-94-024.

Referred to Committee

[Federal Funding, Community Development]
Resolution approving the allocation of $88,715 of Community Development Block Grant Funds from the Community Housing Rehabilitation Program pool for Lead Hazard Reduction Program and Shelter Plus Care Program implementation, and approving Addendum No. 2 to the 1994 Community Development Program. Supervisors Shelley, Alioto presented. Referred to Budget Committee.

File 079-93-002.03.

[Memorandum of Understanding, Police Officers]
Resolution ratifying Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers Association. Supervisors Conroy, Alioto, Kennedy, Shelley presented. Referred to Budget Committee.

File 093-94-013.

Referred to Board

[Five-Year HIV/AIDS Housing Plan]
Resolution supporting the San Francisco Five-Year HIV/AIDS Housing Plan. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 16, 1994.

File 108-94-004.

[Reward]
Resolution urging the Mayor to urge the Police Commission to offer a reward in the amount of $10,000 for information leading to the arrest and conviction of the murderer of Alexius McNeal. Supervisors Alioto, Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar May 16, 1994.

File 155-94-003.

Referred to Committee

[Redevelopment Agency Application to HUD]
Resolution authorizing the Redevelopment Agency of the City and County of San Francisco to apply to the U.S. Department of Housing and Urban Development on behalf of the City and County of San Francisco for designation as a Federal Empowerment Zone or Enterprise Community. Supervisors Kennedy, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 161-94-002.

[Street Artists]
Resolution redesignating for six months two selling spaces on Beach Street, northwest corner at Hyde Street, for street artists certified by the Art Commission, pursuant to Board of Supervisors Resolution No. 940-91. Supervisor Hallinan presented. Referred to Housing and Land Use Committee.

File 169-94-001.

[Redevelopment Agency Hotel Tax Bonds]
Resolution approving the issuance of the Redevelopment Agency of the City and County of San Francisco Hotel Tax Revenue Bonds, Series 1994; authorizing the execution of an amendment to the indebtedness limitation agreement with the San Francisco Redevelopment Agency regarding the issuance of Agency Bonds secured by the Hotel Tax; approving and authorizing the execution and delivery of a Tax Administration Agreement; authorizing the filing of a validation action; ratifying actions previously taken; and authorizing city officials to take necessary actions in connection with the execution and delivery of related documents. Supervisor Bierman presented. Referred to Budget Committee with request it be considered at the May 18, 1994 meeting.

File 170-94-007.

[Bed Space at Santa Rita Jail in Alameda County]
Resolution making a statement of policy that beginning January of 1995 the City and County of San Francisco will rent bed space at the Santa Rita Jail Facility in Alameda County for housing inmates from San Francisco's San Bruno Jail Facility. Supervisor Kennedy presented. Referred to Health/Public Safety/Environment Committee

File 195-94-002.

[Base Conversion Reuse Programs]
Draft Ordinance designating the San Francisco Board of Supervisors as the Reuse Authority for the City and County of San Francisco for purposes of approving Reuse Programs for Hunters Point Naval Shipyard and Naval Station Treasure Island, establishing a Citizens Advisory Committee to provide input to the Board of Supervisors on the Reuse Program and authorizing the Manager of Base Conversion to negotiate on behalf of the City and County of San Francisco transfer of property and interim leases. Supervisors Shelley, Alioto presented. Referred to Select Committee on Base Closures.

File 244-94-009.

[Compensatory Time Off]
Resolution urging the Mayor to urge Department Heads to freeze accrual of compensatory time off pay for exempt employees until a standardized, citywide policy for accrual and use of Comp Time is developed and implemented. Supervisor Conroy presented. Referred to Budget Committee with request it be considered at the May 18, 1994 meeting.

File 251-94-007.

[Compensatory Time, Request for Study]
Resolution requesting the Human Resources Department and the Civil Service Commission to conduct a study and report back to the Board of Supervisors on the various civil service classifications which are assigned as a "Z" category to determine the appropriateness of such determinations allowing compensatory time off to executive, administrative and professional employees in light of job descriptions and overall compensation and compensation packages. Supervisor Conroy presented. Referred to Budget Committee with request it be considered at the May 18, 1994 meeting.

File 251-94-008.

[Ballot Measure, Alcohol at Kezar Stadium]
Charter Amendment (First Draft-Skeletal) amending Charter by adding Section 3.554 relating to the sales of alcoholic beverages for events at Kezar Stadium. Supervisor Migden presented. Referred to Rules Committee.

File 248-94-001.

[Ballot Measure, Suspending Salary Increases]
Draft Charter Amendment (Second Draft) amending Section 8.406-1 relating to freezing the compensation of city employees and officers. Supervisor Migden presented. Referred to Rules Committee.

File 249-94-001.

Requests for Hearings:

[Winter Emergency Housing Programs for Homeless]
Hearing to consider the expansion of winter emergency housing programs for the homeless. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 083-94-005.

[Eviction Assistance Program]
Hearing to consider services which would benefit people at risk of becoming homeless specifically: 1) Development of an eviction assistance program; 2) Institution of a local housing subsidy to supplement federal efforts to retain and develop affordable housing; and 3) Establish a system of fines and sanctions against landlords who let housing units remain vacant. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 083-94-006.

[Telecommunications Policy Committee Composition]
Hearing to consider the membership and composition of the Telecommunications Policy Committee; and possible additions to the membership. Supervisor Migden presented. Referred to Rules Committee with request it be considered at the May 17, 1994 meeting.

File 097-94-036.

[Group Homes for medically fragile babies]
Hearing to consider the feasibility of establishing group homes for medically fragile babies born in San Francisco and requesting that the members of the County Welfare Directors Association, the Department of Social Services and the State Department of Social Services attend the meeting. Supervisors Kennedy, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 107-94-003.

[Fire Department Training Methods for Females]
Hearing to consider the problems that Fire Department female trainees face and the methods used in training. Supervisors Kennedy, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 208-94-001.

[Emergency Response capabilities on Muni Railway]
Hearing to consider the emergency response capabilities on the Municipal Railway, including Police response, reporting of incidents, panic buttons, possible radio systems upgrade, and plans to improve the emergency response system, such as better police staffing for the MUNI. Supervisor Conroy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the May 24, 1994 meeting.

File 223-94-003.

[Training Account Pilot Program for Job Training]
Hearing to consider the feasibility of implementing the Training Account Pilot Program which would provide job training and placement. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 245-94-003.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 082-93-010.01. [Quitclaim Sludge Line Easement] Ordinance authorizing quitclaim of the sludge

line easement identified as a portion of Assessor's parcels 4349/4/4A and 5214/1; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department) (Also see File 82-93-10) Referred to Budget Committee.

File 101-93-115. [Appropriation, Dept. of Public Works, $89,606] Ordinance appropriating and certifying $89,606, Department of Public Works, for capital improvement project to cover ten percent overage as per Charter Section 7.203; providing for ratification of action previously taken. RO #93302 (Controller) Referred to Budget Committee.

File 101-93-116. [Appropriation, Fire Department, $2,600,815] Ordinance appropriating $2,600,815, Fire Department, from the General Reserve to uniform salaries, mandatory fringe benefits, Workers Compensation and facilities maintenance for fiscal year 1993-94; subject of previous budgetary denial. RO #93308 (Controller) Referred to Budget Committee.

File 027-94-005. [Airport, Fixed Base Operations Services Agreement]
Ordinance approving the "Fixed Base Operations Services Operating Agreement" between AMR Combs, Inc. and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 045-94-027. [Settlement of Litigation, Dawn Walker] Ordinance authorizing settlement of ligation of Dawn Walker against the City and County of San Francisco by payment of $77,500. (United States District Court No. C91-1190 SAW) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-94-028. [Settlement of litigation, Farmers Insurance Co.] Ordinance authorizing settlement of litigation of Farmers Insurance Co. against the City and County of San Francisco by payment of $16,000. (Municipal Court No. 088-535) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 52-94-2. [Underground District] Ordinance amending Ordinance No. 367-92 to request that utility companies pay certain service lateral costs to be incurred in connection with the undergrounding of the District; companion measure to Files 52-94-2.1, 52-94-2.2 and 52-94-2.3. (Also see Files 52-92-6, 52-92-6.1, 52-93-1 and 52-93-1.1) (Department of Public Works). Referred to Housing and Land Use Committee.

File 097-94-027. [Dept of Public Works, Time for Award of Contract] Ordinance amending Administrative Code by adding Section 6.1-3 thereof, relating to time for award of Public Works contracts requiring the approval of the City's Recreation and Park Commission. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 097-94-028. [Time for Award of Contracts, Federal/State] Ordinance amending Administrative Code by amending Section 6.1-2 thereof, relating to time for award of contracts for federal and state grant and loan projects. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 124-94-006. [Parking Revenue Funds] Ordinance amending Traffic Code by repealing Section 213 thereof, relating to the establishment, purpose and use of the Off-Street Parking Fund, and adding a New Section 213 thereof, relating to the establishment, purposes and use of a Parking Revenue Fund; companion measure to File 124-94-6.1. (Department of Parking and Traffic) Referred to Budget Committee.

Resolutions Referred to Committee

File 115-93-008.01. [Automatic Public Toilet Program] Resolution authorizing the Director of Public Works to enter into an agreement with JCDecaux United Street Furniture, Inc., to provide for the placement of automatic public toilets on public property in San Francisco in exchange for the right to place public service kiosks on public property and to sell advertising on said kiosks; companion measure to File 115-93-8. (Department of Public Works) Referred to Housing and Land Use Committee.

File 133-93-005.01. [Household Hazardous Waste Grant] Resolution authorizing the Chief Administrative Officer (CAO) of the City and County of San Francisco to accept and expend $105,885 in Household Hazardous Waste Grant funding from the California Integrated Waste Management Board (CIWMB); waiving indirect costs. (Chief Administrative Officer) Referred to Government Efficiency/Labor Committee.

File 025-94-014. [Contract Out, Janitorial Services] Resolution concurring with the Controller's certification that janitorial services for 25 Van Ness Avenue can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 038-94-005. [Acceptance of Gift, Adidas Corporation] Resolution accepting a gift valued at $100,000 from Adidas Corporation for use by the Recreation and Park Department. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 048-94-007. [Settlement of Claim, Patrick Kretsch] Resolution approving the settlement of the unlitigated claim of Patrick Kretsch, by payment of $11,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-94-008. [Settlement of Claim, William Rogers] Resolution approving the settlement of the

unlitigated claim of William Rogers by payment of $8,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 052-94-002.01. [Lighting Assessment District] Resolution approving the Engineer's Report prepared and filed by the City Engineer in the formation proceedings for Assessment District No. 92-2, pursuant to Article 1 of Chapter 2 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Dolores Heights District; companion measure to Files 52-94-2, 52-94-2.2, and 52-94-2.3. (Also see Files 52-92-6, 52-92-6.1, 52-93-1, and 52-93-1.1) (Department of Public Works) Referred to Housing and Land Use Committee.

File 052-94-002.02. [Lighting Assessment District] Resolution announcing the intent to undertake to form an Assessment District pursuant to Article 1 of Chapter 2 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Dolores Heights District; describing the intended improvements; indicating the location of the proposed Assessment District; and giving notice of the time and place for the two public hearings on the question of the formation of the proposed Assessment District and on the levy of the proposed assessment; companion measure to Files 52-94-2, 52-94-2.1, and 52-94-2.3. (Also see Files 52-92-6, 52-92-6.1, 52-93-1, and 52-93.1.1.) (Department of Public Works) Referred to Housing and Land Use Committee.

File 052-94-002.03. [Lighting Assessment District] Resolution announcing the formation of Assessment District No. 92-1 pursuant to Article 1 of Chapter 2 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Dolores Heights District; confirming the diagram and assessments as described in the Engineer's Report; ordering the improvements; and levying the first annual assessment; companion measure to Files 52-94-2, 92-94-2.1, and 52-94-2.2. (Also see Files 52-92-6, 52-92-6.1, 52-93-1, and 52-93-1.1) (Department of Public Works) Referred to Housing and Land Use Committee.

File 061-94-002. [Contract Award Extension] Resolution granting extension of time for awarding Hetch Hetchy Contract No. HHR-833R, Trolley Pole Replacement Project. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 095-94-001. [Annual Audit, Controller's Books] Resolution ordering annual audit of Controller's books, declaring intention of the Board of Supervisors to order an annual audit of Controller's books and to exercise one year renewal option of a three-year contract with a consortium of accounting firms. (Controller) Referred to Budget Committee.

File 124-94-006.01. [Parking Revenue Agreement, CCSF/Parking Authority] Resolution approving the form of, and authorizing execution and delivery of, a payment agreement by and between the City and County of San Francisco and the Parking Authority of the City and County of San Francisco; and authorizing other actions related thereto; companion measure to File 124-94-6. (Department of Parking and Traffic) Referred to Budget Committee.

File 146-94-005. [Grant - State or Private] Resolution authorizing the Department of Public Health Central Administration, Emergency Medical Services (EMS) Agency, to apply for, accept and expend a grant of $7,075, which includes indirect costs in the amount of $623, based on 12.5% of direct costs from the State Emergency Medical Services Authority or a private foundation, to provide for development of handbook of services for the elderly for emergency health care providers, providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-94-006. [Grant - State] Resolution authorizing the Department of Public Health, Division of Community Mental Health Services, to accept and expend a grant in the amount of $128,065 from the State Department of Rehabilitation and to enter into a Cooperative Program Agreement and a Case Service Contract with the San Francisco Department of Rehabilitation District to provide vocational services to mentally-ill psychiatric clients, waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-94-016. [Roof Equipment License Agreements] Resolution authorizing two roof equipment license agreements for 555 California Street for the Department of Electricity and the Municipal Railway. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 250-94-001. [Tax and Revenue Anticipation Notes] Resolution approving and authorizing the borrowing of funds for fiscal year 1994-1995 and the issuance and sale of City and County of San Francisco 1994-1995 Tax and Revenue Anticipation Notes therefor; approving official statement relating to such notes; authorizing the distribution of an official notice of sale in connection with the notes; authorizing publication of notice of intention to sell bonds; authorizing public sale of such notes and authorizing other official actions in connection therewith. (Also see Files 239-93-1 and 239-93-2.) (Controller) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kaufman, that letter of inquiry be sent to the Chief Administrative Officer with regard to the status of the Veterans Affairs Office submittal of its semi-annual report as required by Administrative Code Section 5.108.A-2(d).

By Supervisor Alioto, that City Attorney prepare a resolution advocating full funding for federal programs that feed homeless people.

By Supervisor Alioto, that City Attorney prepare a resolution urging the Department of Social Services to consider expansion of the GATES and GAIN Programs to assist General Assistance participants with employment opportunities.

By Supervisor Alioto, that City Attorney prepare a resolution for full funding of the Special Emphasis Victim Assistance Program for the 1994-1995 Fiscal Year.

By Supervisor Shelley, that draft ordinance be referred to the City Attorney for approval as to form. File 244-94-9.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Sarah Marshall (Supervisor Alioto)
Roberto Morales (Entire Board)
Brian Christopher Massolo (Supervisor Bierman)
Chris Cutter (Supervisors Kaufman, Migden)
John A. Sutro (Supervisor Conroy)
Loretto Sweeney (Supervisor Conroy)

File 2-94-19

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:31 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 24, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, May 16, 1994

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 89

Number 20

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 16, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:12 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 7.

Noted absent at first roll call:

Supervisors Conroy, Hsieh, Maher, Shelley - 4.

Quorum present.

Supervisor Shelley was noted present at 2:15 p.m.

Supervisor Hsieh was noted present at 2:15 p.m.

Supervisor Conroy was noted present at 2:36 p.m.

Supervisor Maher was noted present at 2:37 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Leal, moved that the Journal of Proceedings for Monday, May 2, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden - 7.

Absent: Supervisors Conroy, Hsieh, Maher, Shelley - 4.

Presentation of Guests

President Alioto introduced and welcomed Mrs. Margaret McNeal, mother of Alexius McNeal.

Suspension of the Rules

Supervisor Kennedy, seconded by Supervisor Leal moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Mrs. McNeal.

No objection and motion carried.

Mrs. McNeal thanked the Board for its support of the $10,000 reward for the murderer of her daughter, Alexius. She spoke of Alexis' love of drawing and presented the Board with one of her favorite pictures drawn by Alexius.

Request Granted

At the suggestion of Supervisor Kennedy, the Board will inquire if the picture can be enlarged, framed and exhibited in an appropriate location, such as the Children's Section of the new Library or any other suitable location in memory of Alexius.

No objection and Clerk directed to comply

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Department of Public Works]
Ordinance appropriating and rescinding $5,422,479, Department of Public Works, 1990 Earthquake Safety Bond monies to transfer funds from various capital improvement projects to Performing Arts Building Project (Civic Auditorium Seismic Upgrade) for fiscal year 1993-94; placing $1,604,303 on reserve. (Supervisor Hsieh)

File 101-93-113, Ordinance No. 207-94

Finally passed.

[Citywide Radio System Lease]
Ordinance providing for the approval and execution and delivery by officers of the City and County of San Francisco of a Master Lease Agreement and a First Lease Supplement, each between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee for the lease-financing of the first phase of the Citywide 800 MHz Trunking Radio System; providing for the approval and execution of an agency agreement between the City and County of San Francisco Finance Corporation and the City and County of San Francisco with respect to the Citywide Radio System to be used for City purposes; approving the issuance of Lease Revenue Bonds by the Corporation; providing for the execution of other documents related to the actions authorized by the Board; and ratifying related actions previously taken. (Chief Administrative Officer)

File 170-94-6, Ordinance No. 208-94

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of the Insurance Company of the West]
Ordinance authorizing settlement of Insurance Company of the West against the City and County of San Francisco by payment of $9,000. (City Attorney)

File 45-94-21, Ordinance No. 201-94

(Municipal Court No. 97-892)

Finally passed.

[Settlement of Litigation, Troy Smith]
Ordinance authorizing settlement of litigation of Troy Smith against the City and County of San Francisco by payment of $40,000. (City Attorney)

File 45-94-22, Ordinance No. 202-94

(United States District Court No. C92-2444)

Finally passed.

[Settlement of Litigation, Ky Sam Ha]
Ordinance authorizing settlement of litigation of Ky Sam Ha, et al. against the City and County of San Francisco by payment of $8,000. (City Attorney)

File 45-94-23, Ordinance No. 203-94

(Superior Court No. 932-805)

Finally passed.

[Litigation, Charles W. & Jacqueline Pollitt Marsh]
Ordinance authorizing settlement of litigation of Charles W. Marsh and Jacqueline P. Marsh against Joseph M. Lutisaw; Pacific Bell; Southern Pacific Line; Neil Wadell and the City and County of San Francisco by payment of $10,000. (City Attorney)

File 45-94-24, Ordinance No. 204-94

(Superior Court No. 950-724)

Finally passed.

[Sublease, 25 Van Ness Avenue, Suite 710]
Ordinance authorizing and approving sublease of City-owned property at 25 Van Ness Avenue, Suite 710 (lot 4, Block 834) to Carl Wolf, Attorney at Law, commencing retroactively to May 1, 1994. (Real Estate Department)

File 65-94-9, Ordinance No. 205-94

Finally passed.

Recommendation of Housing and Land Use Committee

Adopted

[Residential Parking Area "N", North Inner Richmond]
Resolution extending the boundaries of Residential Permit Parking Area "N" in the North Inner Richmond Area and adding Anza Street, between 12th and Funston Avenues, both sides, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-94-8, Resolution No. 438-94

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Consideration of Mayor's Disapproval

Refused Adoption

[Salary Standardization Ordinance]
Ordinance fixing, designating, enumerating and providing schedules of compensation for persons employed by the City and County of San Francisco, the San Francisco Community College District and the San Francisco Unified School District, whose compensations are subject to the provisions of Sections 8.400, 8.401 and 8.407 of the Charter and establishing working schedules and conditions of employment and methods of payment, effective July 1, 1994.

File 106-94-1, Ordinance No.

(April 4, 1994 - Passed for second reading.)
(April 11, 1994 - Finally Passed.)
(April 22, 1994 - Returned disapproved by the Mayor.)
(May 9, 1994 - Consideration continued to May 16, 1994.)
(May 16, 1994 - Last regular meeting day to override the Veto.)

The Clerk stated, "Shall the ordinance be adopted notwithstanding the Mayor's veto?"

The roll was called and it was refused adoption by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Maher, Shelley - 6.

Noes: Supervisors Conroy, Kaufman, Kennedy, Leal, Migden - 5.

From the Clerk

Adopted

[Findings]
Motion adopting findings related to the appeal of the City Planning Commission's approval of Conditional Use Application No. 92.397C, which authorized the establishment of a community facility and childcare center, as defined by Sections 290.4(a) and 209.3(f), respectively of the Planning Code, within an RM-3 (Residential Mixed, Medium Density), and a 40-X Height and Bulk District of property located at 1290-1294 Potrero Avenue, also known as the Good Samaritan Church and Good Samaritan Community Center. (Clerk of the Board)

File 37-94-1.5

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Hsieh, Maher - 3.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

(Supervisor Hallinan dissenting in Committee.)

[Medical and Laboratory Services]
Ordinance amending Administrative Code to repeal the section which authorizes the Health Commission and the Purchaser to enter into an agreement with the University of California for the provision of medical and laboratory services at San Francisco General Hospital beginning July 1, 1959. (Department of Public Health).

File 97-94-4, Ordinance No. 209-94

(Repeals Section 19.A.11)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Conroy, Maher - 2.

(Supervisor Hallinan dissenting in Committee.)

[Affiliation Agreement]
Ordinance authorizing the Director of Public Health and the Purchaser to execute an affiliation agreement between the City and County of San Francisco and the Regents of the University of California for the provision of patient care services at San Francisco General Hospital. (Department of Public Health)

File 172-94-3, Ordinance No. 210-94

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Conroy, Maher - 2.

Consideration Continued

[Designation of Official Newspaper]
Ordinance amending Administrative Code, which sets forth a procedure for designating the City's

official newspaper, by allowing the Board of Supervisors, by resolution, to reject the recommendation of the Purchaser for the awarding of the contract for the City's official newspaper and to award the contract to a reliable and responsible bidder or bidders that may not have submitted the lowest bid. (Supervisor Hallinan)

File 97-94-24, Ordinance No.

(Article IX, Section 2.81)

Supervisor Maher, seconded by Supervisor Hsieh, moved to continue consideration to May 23, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Leal, Maher, Migden - 7.

Noes: Supervisors Conroy, Hallinan, Kennedy, Shelley - 4.

Adopted

[Self-Insurance for Workfare Participants]
Resolution recognizing General Assistance recipients who participate in the workfare program as "employees" for purposes of workers compensation insurance coverage; urging the Mayor to urge the Retirement Board to include General Assistance workfare participants in the City's workers compensation self-insurance pool; and urging the Mayor to urge the Department of Social Services to request funds in its budget to cover the cost on any claims liability incurred as a result of an injury to a General Assistance workfare participant. (Department of Social Services)

File 210-94-1, Resolution No. 443-94

(May 9, 1994 - Consideration continued to May 16, 1994.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisor Alioto - 1.

Absent: Supervisors Conroy, Maher - 2.

[Mission Bay Transportation Projects Agreement]
Resolution approving the Transportation Projects Agreement, as amended, and approving the proposed revisions as within the scope of and as adequately described in the program EIR. (City Attorney)

File 255-94-1, Resolution No. 431-94

(The Mission Bay EIR is a program EIR pursuant to Section 15168 of the California Environmental Quality Act. The Board may find that the proposed revisions to the Transportation Projects Agreement are within the scope of the program EIR and are adequately described, for the purposes of CEQA, in the program EIR. This finding is based on EIR Addendum, "Memorandum to City Planning File 86.505E, dated March 24, 1994.)

(May 9, 1994 - Consideration continued to May 16, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

<u>Called from Budget Committee</u>
<u>by Supervisor Maher</u>

Finally Passed

[General Assistance, General Grant Levels]
Ordinance amending Administrative Code, relating to the computation of aid grants. (Department of Social Services)

File 97-94-18, Ordinance No. 206-94

(Amends Section 20.57)

Finally passed by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 7.

Noes: Supervisor Alioto - 1.

Absent: Supervisors Conroy, Maher, Shelley - 3

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Fees, Reproducing Records & Environmental Review]
Ordinance amending Administrative Code, to amend fees for reproducing records, to increase fees, modify fees and extend the period certain fees are charged for environmental review procedures. (Supervisors Alioto, Bierman, Hsieh)

File 97-94-17, Ordinance No.

(Fiscal Impact.)

(Amends Sections 8.28 and 31.46A.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

[Planning Department, New Fees]
Ordinance amending City Planning Code, to impose new fees, change the amount of fees currently charged relating to Department of City Planning actions, activities and services. (Supervisors Alioto, Bierman, Hsieh)

File 115-94-4, Ordinance No.

(Fiscal Impact.)

(Amends Articles 2, 3.5A and 9.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

Adopted

[Candlestick Park, Cigarette Advertising, Sony]
Resolution urging Mayor Frank Jordan and the San Francisco Recreation and Park Commission to remove all cigarette advertising from Candlestick Park. (Supervisors Alioto, Hsieh, Bierman, Shelley)

File 65-94-5.1, Resolution No. 437-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 9.

Noes: Supervisor Kennedy - 1.

Absent: Supervisor Maher - 1.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

Recommendations of Health, Public Safety and Environment Committee

Consideration Continued

[Emergency Services, Combined 911 Communication]
Ordinance amending Administrative Code to authorize the Director of Emergency Services to operate the Combined 911 Emergency Communications Center and to create an Emergency Communications Policy Committee to provide oversight on certain aspects of the 911 Communication Center's joint operations. (Supervisors Shelley, Alioto)

File 97-94-23, Ordinance No.

(Amends Section 7.7.)

Supervisor Shelley, seconded by Supervisor Conroy, moved to continue consideration to May 23, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Adopted

[Geneva Towers, Testing for Lead Poisoning]
Resolution supporting the efforts of Geneva Towers residents in determining the level of lead hazards and to obtain safe clean drinking water. (Supervisors Alioto, Kennedy, Shelley)

File 206-94-1, Resolution No. 442-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Zoning Map Change, Key Avenue]
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located (951 Key Avenue) on the south side, 325 feet southeasterly from Jennings Street in Assessor's Block 4996, Lot 23 from an RH-1 (House, One-Family) District to an RH-2 (House, Two Family) District; and adopting findings pursuant to City Planning Code Sections 101.1 and 302(C). (Department of City Planning)

File 36-94-2, Ordinance No.

(General rule exclusion from environmental review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

Passed for Second Reading as Amended

[Zoning Change, Geary Blvd, Beaumont Avenue]
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 3425-55 Geary Boulevard and 33 Beaumont Avenue, Lots 3 and 35 in Assessor's Block 1085, from an NC-3 (Moderate-Scale Neighborhood Commercial District) to an RH-2 (House, Two-Family) District (a portion of Lot 35) and of property located at 33 Beaumont Avenue from an RH-2 District to an NC-3 District (a portion of Lot 3) and adopting findings pursuant to City Planning Code Sections 101.1 and 302(c). (Department of City Planning)

File 36-94-3, Ordinance No.

(General rule exclusion from environmental review.)

Supervisor Bierman, seconded by Supervisor Kennedy, moved an amendment of the whole entitled, "Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 3425-55 Geary Boulevard and 33 Beaumont Avenue,

Lots 3 and 35 in Assessor's Block 1085, from an NC-3 (Moderate-Scale Neighborhood Commercial District) to an RH-2 (House, Two-Family) District (a portion of Lot 35) and of property located at 33 Beaumont Avenue from an RH-2 District to an 1-3 District (a portion of Lot 3) and adopting findings pursuant to City Planning Code Sections 101.1 and 302(c)."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

Adopted

[Emergency Operations/Communication Center Site]
Resolution finding the south side of Turk Street in Jefferson Square to be the preferred site for purposes of environmental review for a new emergency operations and communications center. (Supervisors Maher, Shelley)

File 223-94-2, Resolution No. 444-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

From Joint Economic Vitality and
Social Policy/Housing and Land Use Committee
with recommendation "Do Not Pass"

Refused Adoption

(Supervisors Kennedy and Maher dissenting in Committee.)

[Final Negative Declaration]
Resolution adopting Final Negative Declaration, finding and determining that the amendment of Planning Code Section 719.25 to allow drive-up facilities at certain fast food establishments as a conditional use in the Haight Street Neighborhood Commercial District, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Department of City Planning)

File 115-93-2.3, Resolution No.

Refused adoption by the following vote:

Ayes: Supervisors Hsieh, Kennedy, Maher - 3.

Noes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Refused Passage for Second Reading

(Supervisors Kennedy and Maher dissenting in Committee.)

[Drive-up Facility]
Ordinance amending City Planning Code to amend the Haight Street Neighborhood Commercial District Zoning Control Table and to add text to the end of Table to allow for drive-up facilities as a conditional use; adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 115-93-2.1. (Supervisors Hsieh, Kennedy)

File 115-93-2, Ordinance No.

(Amends Section 719.25)

Refused passage for second reading by the following vote:

Ayes: Supervisors Hsieh, Kennedy, Maher - 3.

Noes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Leal, Migden, Shelley - 8.

Conference with Labor Negotiator -- Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources, and with Thornton C. Bunch, Employee Relations Director, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

(May 9, 1994 - Consideration continued to May 16, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Recess

The Board recessed at the hour of 4:04 p.m. to convene in Closed Session.

Reconvening of the Board

The Board, at the hour of 4:40 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors, Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, - 7.

Noted absent:

Supervisors Hallinan, Maher, Migden, Shelley - 4.

Quorum present.

Supervisor Hallinan was noted present at 4:43 p.m.

Supervisor Migden was noted present at 4:43 p.m.

Supervisor Shelley was noted present at 4:51 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with Wendell Pryor, Director of Human Relations and with Cliff Gates, Assistant to Director of Human Resources, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

The Clerk reported that there were no votes taken during the closed session.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal - 8.

Absent: Supervisors Maher, Migden, Shelley - 3.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing to consider ordinance amending Part III, Municipal Code by amending Section 802A to make technical changes and to extend the temporary admission tax on any operator of athletic contests, exhibition and other special events, effective January 1, 1994, and amending Section 804 to change the deadlines for remitting portions of the tax to the city. (Supervisors Hallinan, Hsieh, Alioto, Bierman, Leal, Shelley)

File 127-94-2

(A second public hearing as required by State law will be held on June 20, 1994.)

The President inquired if anyone present wished to speak.

There being no one present wishing to speak, the President declared the hearing closed.

In connection with the above item, Supervisors Leal and Shelley requested to be added as co-sponsors.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
[In-Home Supportive Services Contract Award 1994-97]
Hearing of persons interested in or objecting to findings that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code, the Charter and the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract to a non-profit agency.

File 172-94-017

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Kathy Kecklen, Lucy Mae Rogers, Marie, Igor.

Adopted

(From Department of Social Services)

[In-Home Supportive Services Contract Award 1994-97]
Resolution finding that the General Manager of the Department of Social Services of the City and County of San Francisco has complied with the requirements of the Administrative Code and the Charter of the City and County of San Francisco and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract to a non-profit agency for the period July 1, 1994 through June 30, 1997. (Department of Social Services)

File 172-94-017.01, Resolution No. 441-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

COMMITTEE REPORTS

Reports from committees, if any, recommending emergency or urgent measures.

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Alita Jacob, General Assistance;
Kathy Perry, Public Housing micro-enterprises;
Unidentified man, Homelessness;
Representatives of Invest Moving Company, Public Housing;
Michael Levin, Signs on new poles at Embarcadero;
Virginia Conway, Employment of teens to pick up trash;
Shelley Salieri, Proliferation of political signs on ornamental poles;
Donald Schweigert, Juneteenth event and need for support.

The President resumed the Chair.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Cerebral Palsy Awareness Week]
Resolution declaring Friday, June 17, 1994 as United Cerebral Palsy's Casual Day and the week of June 12 to June 18, 1994 as Cerebral Palsy Awareness Week in the City and County of San Francisco. (Supervisors Alioto, Kennedy)

File 004-94-014, Resolution No. 433-94

(May 9, 1994 - Introduced in Board for consideration on May 16, 1994.)

Adopted.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

[First Annual Seniors' Night Out]
Resolution commending members of the Bay Area Independent Elders Program and acknowledging May 28, 1994 as First Annual Seniors' Night Out. (Supervisors Bierman, Alioto, Leal, Kennedy)

File 006-94-029, Resolution No. 434-94

(May 9, 1994 - Introduced in Board for consideration on May 16, 1994.)

Adopted.

In connection with the above item, Supervisors Leal, Kennedy requested to be added as co-sponsors.

[Commending Carlton B. Goodlett and Sun-Reporter]
Resolution commending Carlton B. Goodlett on his 80th birthday for his many years of outstanding commitment and tireless leadership to the local, national and international communities and congratulating the Sun-Reporter on its 50th Anniversary. (Supervisors Shelley, Alioto, Leal, Hallinan, Hsieh, Kennedy, Migden, Bierman)

File 006-94-030, Resolution No. 435-94

(May 9, 1994 - Introduced in Board for consideration on May 16, 1994.)

Adopted.

In connection with the above item, Supervisors Leal, Hallinan, Hsieh, Kennedy, Migden, Bierman requested to be added as co-sponsors.

[International AIDS Candlelight Memorial]
Resolution supporting the Eleventh International AIDS Candlelight Memorial and Mobilization, and commending Mobilization Against AIDS for its outstanding work in coordinating the International Candlelight Memorial and Mobilization. (Supervisors Alioto, Shelley, Bierman, Hallinan, Hsieh, Leal, Kaufman, Maher, Conroy, Kennedy, Migden)

File 006-94-031, Resolution No. 409-94

(May 9, 1994 - Introduced in Board for consideration on May 16, 1994.)

Adopted.

[Child Study Center at SF State University]
Resolution urging the Governor and the Legislature to support a budget augmentation of $90,000 on behalf of the Child Study Center at San Francisco State University. (Supervisors Bierman, Alioto, Kennedy, Leal)

File 012-94-024, Resolution No. 436-94

(May 9, 1994 - Introduced in Board for consideration on May 16, 1994.)

Adopted.

In connection with the above item, Supervisors Kennedy, Leal requested to be added as co-sponsor.

[Five-Year HIV/AIDS Housing Plan]
Resolution supporting the San Francisco Five-Year HIV/AIOS Housing Plan. (Supervisor Alioto)

File 108-94-004, Resolution No. 439-94

(May 9, 1994 - Introduced in Board for consideration on May 16, 1994.)

Adopted.

In connection with the above item, Supervisors Kennedy, Leal requested to be added as co-sponsor.

[Reward]
Resolution urging the Mayor to urge the Police Commission to offer a reward in the amount of $10,000 for information leading to the arrest and conviction of the murderer of Alexius McNeal. (Supervisors Alioto, Kennedy, Bierman, Hallinan)

File 155-94-003, Resolution No. 440-94

(May 9, 1994 - Introduced in Board for consideration on May 16, 1994.)

Adopted.

In connection with the above item, Supervisors Bierman, Hallinan requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Hallinan, Kaufman, Maher - 3.

IMMEOIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-20, Resolution No. 408-94

(Mayor Frank Jordan, May 9 - 12; Preston Cook member, Port Commission, May 4 - 6; Jeanette Lazam, member, Human Rights Commission, June 22 - 27; Calvin Louie, member, Human Rights Commission, May 11 - 16, 1994.)

Adopted.

[Calling for Consolidation of June 7, 1994 Election]
Motion calling a municipal election and consolidating the municipal election, special bond election and statewide primary election to be held on June 7, 1994. (Supervisor Alioto on behalf of the Clerk of the Board)

File 060-94-010

Adopted

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hallinan, Maher - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Amend Planning Code to Permit Awnings & Canopies]
Ordinance amending City Planning Code by amending Sections 136 and 136.1 to permit awnings and canopies in R Districts, subject to limitations. Supervisor Kennedy presented. Referred to Housing and Land Use Committee.

File 115-94-006.

Referred to Board

[Honoring Henry C. "Bill" Lotz]
Resolution honoring Henry C. "Bill" Lotz on the occasion of his hundredth birthday. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 23, 1994.

File 006-94-033.

Referred to Committee

[S.B. 1933, Abolish San Francisco BCDC]
Resolution urging the State Legislature to defeat Senate Bill 1933 which would abolish the San Francisco Bay Conservation Development Commission. Supervisor Maher presented. Referred to Housing and Land Use Committee.

File 012-94-025.

Referred to Board

[Youth in California and the Nation]
Resolution requesting the Mayor to urge the Federal Government to seriously look at the statistics on youth crime, violent death, rising school dropout rate in California, as well as the nation, as found by the "Kids Count Data Book," and to develop programs that will reverse the trend i.e. job

opportunities, training and earning for low income and low skill workers. Supervisors Kennedy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 23, 1994.

File 013-94-014.

Referred to Committee

[Confirming Mayor's Appointment to Port Commission]
Resolution confirming Mayor's appointment of Frankie Lee, vice Ming Chang, to the San Francisco Port Commission for the term to expire May 1, 1998. Supervisor Alioto presented on behalf of the Clerk. Referred to Rules Committee with request it be considered at a Special Meeting on May 23, 1994.

File 033-94-003.

Referred to Board

[Recycled Paper Coalition]
Resolution authorizing and urging the Chief Administrative Officer of San Francisco to endorse the Recycled Paper Coalition's membership charter and appoint a representative to work with the Coalition in its efforts. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 23, 1994.

File 057-94-002.

Referred to Committee

[Final Negative Dec., Public Service Kiosk]
Resolution adopting Final Negative Declaration, findings and determining that the amendment of Planning Code Sections 603, 605 and 608, to permit advertising on public service kiosks associated with public toilets, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. Supervisor Alioto presented. Referred to Budget Committee with request it be considered at the meeting on May 18, 1994.

File 115-93-008.02.

Referred to Board

[Redevelopment Agency Application to HUD]
Resolution authorizing the Redevelopment Agency to apply to the U.S. Department of Housing and Urban Development on behalf of the City and County of San Francisco for designation as a Federal Empowerment Zone or Enterprise Community. Supervisors Kennedy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 23, 1994.

File 161-94-002.01.

[Marina Dredging and Breakwater]
Resolution urging the Mayor to oppose the construction of any additional breakwater in the Outer West Harbor and to begin dredging of the Marina Harbor immediately. Supervisors Alioto, Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar May 23, 1994.

File 173-94-002.

[Amending the Task Force on Prostitution]
Resolution amending the resolutions creating the Task Force on Prostitution to change designated positions and to make technical amendments to uncontested positions to facilitate the work of the Task Force, which shall now consist of twenty-seven voting and two non-voting members. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar May 23, 1994.

File 174-94-001.07.

[Senior Services Plan Task Force]
Resolution amending Resolution No. 214-92, creating a Senior Services Plan Task Force, by extending to August 15, 1994, the date by which an interim plan from the Task Force is to be submitted to the Board, and by extending the termination date of the Task Force to December 31, 1994. Referred to Board for Adoption Without Committee Reference Calendar May 23, 1994.

File 174-94-006.

[Angel Island Minor Boundary Change]

Resolution setting July 11, 1994 as the hearing date for all persons interested in a proposal by the County of Marin to change the boundary lines of the City and County of San Francisco to remove certain portions of Angel Island known as East Garrison and Point Blunt from the City and County of San Francisco and place all of Angel Island within Marin County, and to make minor technical changes in said boundary lines at Red Rock to place all of Red Rock in San Francisco and Contra Costa Counties. Supervisor Alioto presented on behalf of the Clerk. Referred to Board for Adoption Without Committee Reference Calendar May 23, 1994.

File 199-94-001.

Referred to Committee

[Drug Dealing Enforcement in Haight-Ashbury]
Resolution urging the Mayor to urge the Police Commission to make enforcement of drug dealing laws a top priority by the Police Department in the Haight-Ashbury District, and urging the District Attorney to make prosecution of individuals arrested for drug dealing a top priority. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee with request it be considered at May 24, 1994 meeting.

File 243-94-002.

Referred to Board

[Global Cities Project]
Resolution urging the Mayor to urge city departments to support the City's participation in the Global Cities Project's Sustainable Cities Initiative. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 23, 1994.

File 252-94-001.

Requests for Hearings:

[Parking, City owned Vehicles at Civic Center]
Hearing to consider setting aside parking spaces for city-owned vehicles in the Civic Center Garage. Supervisor Maher presented. Referred to Housing and Land Use Committee.

File 019-93-013.

[Gender Identity Protections]
Hearing to consider amending the Human Rights Ordinance of the City and County to include gender identity as a protected class. Supervisors Hallinan, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 097-94-037.

[Activities of Criminal Justice Departments]
Hearing to consider ways to coordinate the activities of the various criminal justice departments including: Police, District Attorney, Public Defender, Superior and Municipal Courts, Juvenile Probation and the Sheriff. Supervisor Hsieh presented. Referred to Budget Committee.

File 100-94-010.

[Hiring Private Firm to Assist Tax Collector]
Hearing to consider hiring a private firm to assist the Treasurer-Tax Collector's Office increase its revenue collections. Supervisor Hsieh presented. Referred to Budget Committee.

File 166-94-001.

[Citywide Vending Machine Contract]
Hearing to consider enacting a resolution urging a unified citywide vending machine contract. Supervisors Hsieh, Bierman, Alioto presented. Referred to Budget Committee.

File 172-94-018.

[Condoms as Evidence of Prostitution]
Hearing to consider urging the Mayor to urge the Police Commission and the District Attorney to no longer confiscate and/or use the fact of condom possession for court evidence in prostitution-related offenses. Supervisors Hallinan, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 207-94-008.

[Opposing Lateral Transfers Within Police Dept.]
Hearing to consider opposing lateral transfers from the police departments of other jurisdictions into the San Francisco Police Department. Supervisor Maher presented. Referred to Government Efficiency/Labor Committee.

File 207-94-009.

[Environmental Impact of Tuntex Clean-up.]
Hearing to consider the proposed clean-up by Tuntex of the former Southern Pacific Rail Yard property and its impact on San Francisco's public health and environment. Supervisor Hallinan presented. Referred to Health/Public Safety/Environment Committee.

File 252-94-002.

[Management Audit, Sheriff's Department]
Motion directing the Budget Analyst to conduct a comprehensive management audit of the Sheriff's Department. Supervisor Hsieh presented. Referred to Budget Committee.

File 165-94-007.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-93-117. [Appropriation, DPW, $650,000] Ordinance appropriating and rescinding $650,000, Department of Public Works, from various capital projects and the Recreation and Park Special Revenue Fund for the completion of Candlestick Park Capital Project for fiscal year 1993-94; providing for ratification of action previously taken. RO #93306 (Controller) Referred to Budget Committee.

File 101-93-118. [Appropriation, Superior & Municipal Courts] Ordinance appropriating $9,722,458, Superior and Municipal Courts, courthouse construction funds for capital improvement project for fiscal year 1993-94; placing $9,321,080 on reserve. RO #93309 (Controller) Referred to Budget Committee.

File 101-93-119. [Appropriation, Municipal Railway, $2,700,000] Ordinance appropriating $2,700,000, Municipal Railway, from the General Fund Reserve to other non-personal services (Caltrain payments), and materials and supplies for fiscal year 1993-94. RO #93310 (Controller) Referred to Budget Committee.

File 027-94-006. [Airports Commission, Concession Lease] Ordinance approving the "Lease for Duty Free/In-Bond Merchandise Sales" between DFS Group L.P. and the City and County of San Francisco, acting by through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 045-94-029. [Settlement of Litigation, O'Brien Mechanical] Ordinance authorizing settlement of litigation of O'Brien Mechanical v. City and County of San Francisco by payment of $437,205.69. (Superior Court No. 947-060) (Also see File 45-94-8) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-94-007. [Dismissal Litigation, CCSF v. Peter Bullock] Ordinance authorizing dismissal without prejudice of litigation of City and County of San Francisco v. Peter Bullock. (Superior Court No. 898-704) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-94-010. [Port, Lease with Capital Cities, ABC, Inc.] Ordinance approving lease agreement between Capital Cities, ABC, Inc. and the City and County of San Francisco, operating by and through the San Francisco Port Commission for Seawall Lots 344 and 352, located south of Islais Creek at the end of Amador Street. (Port) Referred to Government Efficiency/Labor Committee.

File 127-94-006. [Curb Painting Fees] Ordinance amending Part III of the Municipal Code (Revenue and Finance/Business Regulations) by amending Section 129.5 thereof, to increase the fees for the renewal painting of white and green zones. (Department of Parking and Traffic) Referred to Budget Committee.

Resolutions Referred to Committee

File 028-94-011. [Emergency Repairs, Bulkhead Buildings, Piers 29/31] Resolution approving a declaration of emergency for demolition and removal of plaster cornice from Bulkhead buildings at Piers 29 and 31; Port Contract No. 2600 - $35,000. (Port Commission) Referred to Budget Committee.

File 038-94-006. [Acceptance of Gift, Friends of Recreation & Parks] Resolution accepting a gift valued at $9,000 from Friends of Recreation and Parks for use by the Recreation and Park Department.

(Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 048-94-009. [Settlement of Claim, Ann Schoner Williams] Resolution approving the settlement of the unlitigated claim of Ann Schoner Williams by payment of $10,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 055-94-001. [Designating a "Through Highway"] Resolution designating Turk Street, between Jones Street and Arguello Boulevard, as a "Through Highway." (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 138-94-005. [Food Stamp Trafficking Task Force] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds up to the amount of One Million Five Hundred Eighty Eight Thousand Six Hundred Seventy- Seven Dollars ($1,588,677.00) from the State of California Department of Social Services. This amount will include up to the amount of Ninety Seven Thousand Eighty-One Dollars ($97,081.00) in indirect costs, which amount to ten percent of the total salary of Program Personnel. The Program will be 100% funded by the State of California, Department of Social Services. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 142-94-001. [Water Rates - Finding] Resolution making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of approval of a proposed revised schedule of rates to be charged by the San Francisco Water Department for water supplied to its suburban resale customers; companion measure to Files 142-94-1.1 and 142-94-1.2. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board 6/6/94.

File 142-94-001.01. [Approving Revised Rates, Resale Customers] Resolution approving revised schedule of rates to be charged by the San Francisco Water Department for water service and water supplied to its suburban resale customers; companion measure to Files 142-94-1 and 142-94-1.2. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board 6/6/94.

File 142-94-001.02. [Disapproving Revised Rates, Resale Customers] Resolution disapproving revised schedule of rates charged by San Francisco Water Department for water service and water supplied to its suburban resale customers; companion measure to Files 142-94-1 and 142-94-1.1. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board 6/6/94.

File 142-94-002. [Water Rates - Finding] Resolution making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of approval of a proposed schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-94-2.1 and 142-94-2.2. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board 6/6/94.

File 142-94-002.01. [Approving Revised Rates, S.F./Suburban Areas] Resolution approving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-94-2 and 142-94-2.2. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board 6/6/94.

File 142-94-002.02. [Disapproving Revised Rates, S.F./Suburban Areas] Resolution disapproving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-94-2 and 142-94-2.1. (Public Utilities Commission) Referred to Budget Committee with direction to report back to Board 6/6/94.

File 168-94-003. [Park and Open Space Fund, 1994-95] Resolution concurring with the general recommendations on the Park and Open Space Fund for fiscal year 1994-95, reserving approval or disapproval on specific acquisitions. (Recreation and Park Department) Referred to Budget Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that City Attorney prepare an ordinance to prohibit the advertising of tobacco products in retail stores within a one mile radius of any school, child care center, family day care home, park, playground, place of worship, or agency that primarily serves youth under the age of 18 years.

By Supervisors Hallinan, Alioto that City Attorney prepare legislation amending the Human Rights Ordinance to include gender identity as a protected class.

By Supervisor Shelley, that City Attorney prepare legislation to create a "Safe Streets Now" program that uses proceeds from asset foreclosures for code violations to create a network of training for community based crime prevention, and crime watch activities.

By Supervisor Conroy, that letter of inquiry be sent to the Chief of Police requesting the details of an incident which occurred on the 24 Bus Line on April 11 at 7:15 p.m., outlining the details of when the Police were notified and the response time to this incident.

By Supervisor Conroy, that letter of inquiry be sent to the General Manager, public Utilities,

requesting information regarding the response time by MUNI officials to an incident on the 24 Bus Line on April 11, 1994 at 7:15 p.m. as well as plans to avoid similar incidents in the future.

By Supervisor Maher, that City Attorney prepare legislation to designate parking spaces for city owned vehicles in the Civic Center Garage. File 19-93-13.

By Supervisor Hsieh, that City Attorney prepare a resolution urging a unified citywide vending machine contract. File 172-94-18.

By Supervisor Maher, that City Attorney prepare legislation opposing lateral transfers from the Police Department of another jurisdiction to the San Francisco Police Department. File 207-94-9

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Stephen C. Smith (Supervisor Leal)
Robert O. Armistead (Supervisor Shelley)

File 2-94-20

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:30 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 6, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, May 23, 1994

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 89

Number 21

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, May 23, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Noted absent at first roll call:

Supervisors Hallinan, Shelley - 2.

Quorum present.

Supervisor Hallinan was noted present at 2:12 p.m.

Supervisor Shelley was noted present at 2:14 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Bierman, moved that the Journal of Proceedings for Monday, May 9, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Presentation of Guests

President Alioto introduced and welcomed Oh Yoo Keun, Vice President of the Seoul Metropolitan Council who introduced the following members of the delegation: Myung Soo Kang, Executive Councillor, Council Steering Committee; Myung Jin Choe, Councillor, Council Steering Committee; Keum Yong Mang, Councillor, Special Committee on International Exchange; Sang Keun You, Executive Councillor, Social & Welfare Committee; Yong Kil Sin, Executive Councillor, City Planning & Readjustment Committee; Hang Rak Choi, Councillor, Culture & Education Committee; Bum Koo Lyeo, Councillor, Construction Committee; Chun Soo Lee, Councillor, Transportation Committee; Keon Ki Ahn, Director of Proceeding Division; Sang Ilyun Lee, Chief of Minutes Section; Tae Sung Choi, Staff of Council Steering Committee; and Choon Ilee Ro, Professor, Seoul City University.

Privilege of the Floor

Supervisor Kennedy, seconded by Supervisor Bierman, moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisor to grant the privilege of the floor to Mr. Oh Yoo Keun.

No objection and motion carried.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Fees, Reproducing Records & Environmental Review]
Ordinance amending Administrative Code, to amend fees for reproducing records, to increase fees, modify fees and extend the period certain fees are charged for environmental review procedures. (Supervisors Alioto, Bierman, Hsieh)

File 97-94-17, Ordinance No. 214-94

(Fiscal Impact.)

(Amends Sections 8.28 and 31.46A.)

Finally passed.

[Planning Department, New Fees]
Ordinance amending City Planning Code, to impose new fees, change the amount of fees currently charged relating to Department of City Planning actions, activities and services. (Supervisors Alioto, Bierman, Hsieh)

File 115-94-4, Ordinance No. 212-94

(Fiscal Impact.)

(Amends Articles 2, 3.5A and 9.)

Finally passed.

Adopted

[Federal Funding - Community Development]
Resolution approving the allocation of $88,715 of Community Development Block Grant funds from the Community Housing Rehabilitation Program Pool for Lead Hazard Reduction Program and Shelter Plus Care Program implementation, and approving Addendum No. 2 to the 1994 Community Development Program. (Supervisors Shelley, Alioto)

File 79-93-2.3, Resolution No. 465-94

Adopted.

Recommendations of Government Efficiency Committee

Passed for Second Reading

[Airport - Agreement]
Ordinance approving the "Fixed Base Operations Services Operating Agreement" between AMR Combs, Inc. and San Francisco, acting by and through its Airports Commission. (Airports Commission)

File 27-94-5, Ordinance No.

Passed for second reading.

[Litigation, Irina and Elena Shenkar and Arbram Geldman]
Ordinance authorizing settlement of litigation of Irina Shenkar, Elena Shenkar, Land Abram Geldman, individually, and as surviving members of Anne Polyak Geldman, deceased, against San Francisco by payment of $60,000. (City Attorney)

File 45-94-25, Ordinance No.

(Superior Court No. 907-670)

Passed for second reading.

[Settlement of litigation, Farmers Insurance Company]
Ordinance authorizing settlement of litigation of Farmers Insurance Company against San Francisco by payment of $16,000. (City Attorney)

File 45-94-28, Ordinance No.

(Municipal Court No. 088-535)

Passed for second reading.

Adopted

[Household Hazardous Waste Grant]
Resolution authorizing the Chief Administrative Officer to accept and expend $105,885 in Household Hazardous Waste Grant Funding from the California Intergrated Waste Management Board (CIWMB); waiving indirect costs. (Chief Administrative Officer)

File 133-93-5.1, Resolution No. 470-94

Adopted.

[Proposition J Certification]
Resolution concurring with Controller's certification that weekend and holiday security guard services can be practically performed for Public Health, SFGH, Substance Abuse Services, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-94-13, Resolution No. 456-94

Adopted.

[Gift Acceptance, S.F. Library Foundation]
Resolution authorizing the Library to accept and expend a gift from the Library Foundation of San Francisco in the amount of $1,711,000 to fund various building enhancements, furnishings and equipment for the new main library. (Public Library)

File 38-94-4, Resolution No. 459-94

Adopted.

[Acceptance of Gift]
Resolution accepting a gift of a prefabricated artificially surfaced miniature soccer court, valued at $100,000 for use by the Recreation and Park Department to be installed at the Mission Playground located at 19th and Linda Streets. (Supervisor Leal)

File 38-94-5, Resolution No. 460-94

Adopted.

[Settlement of Claim, Patrick Kretsch]
Resolution approving the settlement of the unlitigated claim of Patrick Kretsch, by payment of $11,000. (City Attorney)

File 48-94-7, Resolution No. 462-94

Adopted.

[Settlement of Claim, William Rogers]
Resolution approving the settlement of the unlitigated claim of William Rogers, by payment of $8,000. (City Attorney)

File 48-94-8, Resolution No. 463-94

Adopted.

[Grant - State or Private]
Resolution authorizing Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for, accept and expend a grant of $7,075, which includes indirect costs of $623, based on 12.5% of direct costs from the State Emergency Medical Services Authority or a private foundation, to provide for development of a handbook of services for the elderly for emergency health care providers; providing for ratification of action previously taken. (Department of Public Health)

File 146-94-5, Resolution No. 472-94

Adopted.

[Grant - State]
Resolution authorizing Public Health, Division of Community Mental Health Services, to accept and expend a grant of $128,065 from the State Department of Rehabilitation and to enter into a Cooperative Program Agreement and a Case Service Contract with the San Francisco Department of Rehabilitation District to provide vocational services to mentally-ill psychiatric clients, waiving indirect costs. (Department of Public Health)

File 146-94-6, Resolution No. 473-94

Adopted.

[Federal Grant, Purchase of Video Equipment]
Resolution authorizing the Public Library to apply for funds not to exceed $583,779 available through the U.S. Department of Commerce/National Technology Information Administration (NTIA) for the purchase of broadcast-quality video equipment for the purpose of establishing the Channel 54 heading and City Hall broadcast sites; indirect costs are included in this grant award. (Public Library)

File 147-94-3, Resolution No. 474-94

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

(Supervisor Alioto dissenting in Committee.)

[Appropriation, Municipal Railway]
Ordinance appropriating and transferring $50,062 for salaries, fringe benefits and work order services, creating ten positions and deleting three positions at the Municipal Railway; rescinding $14,955 for salaries, fringe benefits and work order services, deleting one position at the Public Utilities Commission for fiscal year 1993-94 (Implement Proposition M, create Transportation Commission); companion measure to File 102-93-34. (Controller)

File 101-93-114, Ordinance No.

(May 9, 1994 - Consideration continued to May 23, 1994.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Noes: Supervisor Alioto - 1.

(Supervisor Alioto dissenting in Committee.)

[Municipal Railway, Add 10 positions/delete three positions]
Ordinance amending the Annual Salary Ordinance No. 242-93, reflecting the creation of ten positions and the deletion of three positions in the Municipal Railway and the deletion of one position at the Public Utilities Commission; companion measure to File 101-93-114. (Department of Human Services)

File 102-93-34, Ordinance No.

(May 9, 1994 - Consideration continued to May 23, 1994.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Noes: Supervisor Alioto - 1.

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Designation of Official Newspaper]
Ordinance amending Administrative Code, which sets forth a procedure for designating the City's official newspaper, by allowing the Board of Supervisors, by resolution, to reject the recommendation of the Purchaser for the awarding of the contract for the City's official newspaper and to award the contract to a reliable and responsible bidder or bidders that may not have submitted the lowest bid. (Supervisor Hallinan)

File 97-94-24, Ordinance No. 215-94

(Article IX, Section 2.81)

(May 16, 1994 - Consideration continued to May 23, 1994.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisors Bierman, Hsieh, Maher - 3.

Recommendation of Health, Public Safety and Environment Committee

Rereferred to Committee

[Emergency Services, Combined 911 Communication]
Ordinance amending Administrative Code to authorize the Director of Emergency Services to operate the Combined 911 Emergency Communications Center and to create an Emergency Communications Policy Committee to provide oversight on certain aspects of the 911 Communication Center's joint operations. (Supervisors Shelley, Alioto)

File 97-94-23, Ordinance No.

(Amends Section 7.7.)

(May 16, 1994 - Consideration continued to May 23, 1994.)

Supervisor Shelley, seconded by Supervisor Kaufman, moved to rerefer to Health, Public Safety and Environment Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Recommendation of Housing and Land Use Committee

Finally Passed

[Zoning Map Change, Key Avenue]
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located on the south side, Key Avenue, 325 feet southeasterly from Jennings Street in Assessor's Block 4996, Lot 23 from an RH-1 (House, One-Family) District to an RH-2 (House, Two Family) District; and adopting findings pursuant to City Planning Code Sections 101.1 and 302(C). (Department of City Planning)

File 36-94-2, Ordinance No. 213-94

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

[Zoning Change, Geary Blvd, Beaumont Avenue]
Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 3425-55 Geary Boulevard and 33 Beaumont Avenue, Lots 3 and 35 in Assessor's Block 1085, from an NC-3 (Moderate-Scale Neighborhood Commercial District) to an RH-2 (House, Two-Family) District (a portion of Lot 35) and of property located at 33 Beaumont Avenue from an RH-2 District to an NC-3 District (a portion of Lot 3) and adopting findings pursuant to City Planning Code Sections 101.1 and 302(c) and adopting findings pursuant to City Planning Code Sections 101.1 and 302(c). (Department of City Planning)

File 36-94-3, Ordinance No. 218-94

(General rule exclusion from environmental review.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Parking Revenue Funds]
Ordinance amending Traffic Code by repealing and adding a new section, relating to the establishment, purpose and use of the Off-Street Parking Fund. (Department of Parking and Traffic)

File 124-94-6, Ordinance No.

(Repeals Section 213;
Adds a New Section 213.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

Adopted

[Parking Revenue Agreement, CCSF/Parking Authority]
Resolution approving the form of, and authorizing execution and delivery of, a payment agreement by and between the City and County of San Francisco and the Parking Authority pertaining to the San Francisco General Hospital Parking Garage Project and authorizing other actions related thereto; companion measure to File 124-94-6. (Department of Parking and Traffic)

File 124-94-6.1, Resolution No. 448-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

Passed for Second Reading

[Transient Occupancy Tax]
Ordinance amending Part III, Article 7 of the Municipal Code by adding Section 502.7 to temporarily suspend Sections 502 (imposition of and rate of tax), 502.5 (imposition of surcharge) and 502.6

(imposition of a 1.25 percent surcharge) in certain redevelopment project areas; adding Section 502.,8 to impose a 12 percent tax on occupancies of guest rooms in hotels located in certain redevelopment project areas, providing a credit for transient occupancy taxes paid to the San Francisco Redevelopment Agency; adding Section 515.2 to provide that all percentage allocations calculated under Section 515 shall be based on the sum of the monies deposited in the hotel room tax fund plus two - thirds of the revenues generated from the transient occupancy tax levied within certain redevelopment project areas and providing for a reduction of the amount of hotel tax revenues allocated to the Chief Administrative Officer for convention facilities activities; and amending Section 517 to provide that a violation of any provision of the Redevelopment Agency transient occupancy tax ordinance shall constitute a misdemeanor. (Supervisor Bierman)

File 127-94-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Conroy, Migden - 2.

Adopted

[Emergency Repairs, Lombard St. Reservoir]
Resolution approving the expenditure of $360,000 to perform emergency repairs on Lombard Street Reservoir, San Francisco Water Department. (Supervisor Alioto)

File 28-94-9, Resolution No. 457-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Annual Audit, Controller's Books]
Resolution ordering annual audit of Controller's books, declaring intention of the Board of Supervisors to order an annual audit of Controller's books and to exercise one year renewal option of a three-year contract with a consortium of accounting firms. (Supervisor Alioto)

File 95-94-1, Resolution No. 451-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Center for Special Problems, Offenders Programs]
Resolution urging the Mayor to include $800,000 in his fiscal year 1994-95 budget proposal to restore the Offender Programs at the Center for Special Problems, and assure that the Offenders Programs continue to be administered by the Department of Public Health. (Supervisors Alioto, Bierman, Hsieh, Kennedy, Shelley)

File 100-94-9, Resolution No. 502-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisors Kennedy, Shelley requested to be added as co-sponsors.

[Redevelopment Agency Hotel Tax Bonds]
Resolution approving the issuance of the Redevelopment Agency of the City and County of San Francisco Hotel Tax Revenue Bonds in one or more series; authorizing the execution of an amendment to the indebtedness limitation agreement with the San Francisco Redevelopment Agency regarding the issuance of Agency Bonds secured by the Hotel Tax; approving and authorizing the execution and delivery of a Tax Administration Agreement; authorizing the filing of a validation action; ratifying actions previously taken; and authorizing city officials to take necessary actions in connection with the execution and

delivery of related documents to finance construction of Children's Center, Mexican Museum and George Moscone Convention Center. (Supervisor Bierman)

File 170-94-7, Resolution No. 477-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Conroy, Migden - 2.

[Tax and Revenue Anticipation Notes]
Resolution approving and authorizing the borrowing of funds for fiscal year 1994-1995 and the issuance and sale of City and County of San Francisco 1994-1995 Tax and Revenue Anticipation Notes in a sum not to exceed $325,000,000 therefor; approving official statement relating to such notes; authorizing the distribution of an official notice of sale in connection with the notes; authorizing publication of notice of intention to sell bonds; authorizing public sale of such notes and authorizing other official actions in connection therewith. (Supervisor Alioto)

File 250-94-1, Resolution No. 446-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted as Amended

[Compensatory time]
Resolution ((requesting)) urging the Mayor to urge the Human Resources Department and the Civil Service Commission to conduct a study and report back to the Board of Supervisors on the various Civil Service classifications which are assigned as a "Z" category to determine the appropriateness of such determinations allowing compensatory time off to executive, administrative and professional employees in light of job descriptions and overall compensation and compensation packages.)) (Supervisors Conroy, Leal, Alioto)

File 251-94-8, Resolution No. 484-94

Supervisor Conroy, seconded by Supervisor Kaufman, moved an amendment of the whole entitled, "Resolution urging the Mayor to urge the Human Resources Department and the Civil Service Commission to conduct a study and report back to the Board of Supervisors on the various Civil Service classifications which are assigned as a "Z" category to determine the appropriateness of such determinations allowing compensatory time off to executive, administrative and professional employees in light of job descriptions and overall compensation and compensation packages".

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisors Leal, Alioto requested to be added as co-sponsors.

Recommendations of Government Efficiency Committee

Passed for Second Reading

[Time for Award of Contracts]
Ordinance amending the Administrative Code, relating to time for award of Public Works contracts requiring the approval of the City's Recreation and Park Commission. (Department of Public Works)

File 97-94-27, Ordinance No.

(Adds Section 6.1-5.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Time for Award of Contracts]
Ordinance amending the Administrative Code, relating to time for award of contracts for Federal and State Grant and Loan Funded Projects. (Department of Public Works)

File 97-94-28, Ordinance No.

(Adds Section 6.1-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted

[Contract Award Extension]
Resolution granting extension of time for awarding Hetch Hetchy Contract No. HH-833R, Trolley Pole Replacement Project; retroactive to March 20, 1994. (Public Utilities Commission)

File 61-94-2, Resolution No. 449-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Funds, State Council on Developmental Disabilities]
Resolutions authorizing the Chief of Police to retroactively apply for, accept and expend funds in the amount of $53,016 for the new funding for one-year project entitled "California Law Enforcement Officers Effectively Communicating with Handicapped Offenders". (Police Department)

File 143-94-2, Resolution No. 504-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[State Grant, Injury Prevention Program]
Resolution authorizing Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for retroactively, and accept and expend a grant of $20,000, which includes indirect costs of $2,625, based on 25% of personnel costs from the State Emergency Medical Services Authority, to provide for development of an Injury Prevention Program for Prehospital Personnel; and providing for ratification of action previously taken. (Department of Public Health)

File 146-94-4, Resolution No. 471-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Log Cabin Ranch Water Transfer]
Resolution ratifying the Juvenile Probation Commission's contract for the purchase of water for the domestic and irrigation water supply of Log Cabin Ranch; providing for ratification of action previously taken. (Juvenile Probation Department)

File 172-94-15, Resolution No. 478-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Roof Equipment License Agreements]
Resolution authorizing two roof equipment license agreements for 555 California Street for the Department of Electricity and the Municipal Railway. (Real Estate Department)

File 172-94-16, Resolution No. 479-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[PG&E Canadian Gas Purchases]
Resolution urging the Mayor to urge the City Attorney to explore the City's options for participating in litigation concerning purchases of natural gas from Canada by Pacific Gas & Electric Company. (Supervisors Hallinan, Alioto)

File 194-94-1, Resolution No. 482-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grand Jury Report, Juvenile Justice System]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1993-94 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Juvenile Justice System. (Government Efficiency and Labor Committee, Supervisor Alioto)

File 39-94-1

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[Grand Jury Report, County Jails]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1993-94 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Sheriff's Department, County Jails. (Government Efficiency and Labor Committee, Supervisor Alioto)

File 39-94-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[Grand Jury Report, Emergency Hotel Shelter General Assistance]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1993-94 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Department of Social Services Emergency Hotel Shelter Program within General Assistance. (Government Efficiency and Labor Committee)

File 39-94-4

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Recommendations of Rules Committee

Passed for Second Reading

[Veterans' Affairs Commission]
Ordinance amending the Administrative Code, to allow the Board of Supervisors to waive the residency requirement for membership on the Veterans' Affairs Commission. (Supervisors Kaufman, Kennedy, Leal)

File 97-94-34, Ordinance No.

(Amends Section 5.102.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted

[Appointment]
Resolution appointing member to the Adult Day Health Care Planning Council, for the unexpired portion of term ending September 30, 1994. (Rules Committee)

File 92-92-3, Resolution No. 447-94

(Michael W. Kwok, vice William Brucker, functional impaired, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted as Amended

[Appointment, Senior Services Plan Task Force]
Resolution appointing member to the Senior Services Plan Force for ((unexpired portion of)) a new two-year term ending July 1, ((1994)) 1996. (Rules Committee)

File 92-94-21, Resolution No. 466-94

(Argentina Davila-Luevano, vice Adele Corvin, resigned.)

Supervisor Migden, seconded by Supervisor Maher, moved an amendment of the whole entitled, "Resolution appointing member to the Senior Services Plan Task Force for a new two-year term ending July 1, 1996".

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted

[Lead Hazard Reduction Citizens Advisory Committee]
Resolution appointing member to the Lead Hazard Reduction Citizen's Advisory Committee for unexpired portion of a four-year term ending June 25, 1997. (Rules Committee, Supervisor Alioto)

File 92-94-24, Resolution No. 467-94

(Anthony Von der Muhll, vice Heather L. Heppner, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[Appointment]
Resolution appointing member to the Citizens Advisory Committee on Elections, for unexpired portion of four-year term ending May 15, 1998. (Rules Committee)

File 92-94-25, Resolution No. 468-94

(Gail Morthole, vice Daniel Kalb, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Appointment]
Resolution appointing member to the Bay Area Air Quality Management District, for unexpired portion of four-year term ending December 31, 1996. (Rules Committee)

File 92-94-26, Resolution No. 469-94

(Supervisor Terence Hallinan, vice Supervisor Carole Migden, resigned.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hallinan - 1.

Recommendations of Select Committee on Base Closures

Adopted

[Base Conversion Funds]
Resolution approving an amendment to the Budget of the Redevelopment Agency for fiscal year 1993-94 to reflect receipt of a grant of $910,744 for base conversion activities from the U.S. Department of Defense and creating an Office of Military Base Conversion; placing $780,123 on reserve. (Supervisors Shelley, Bierman)

File 161-93-5.2, Resolution No. 476-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

[Nonprofit Corporation, Hunters Point Naval Shipyard]
Resolution urging the Redevelopment Agency to enter into a mutually agreeable contract with a California nonprofit corporation being formed with the endorsement and assistance of the Mayor's Citizen's Advisory Committee for the Hunters Point Naval Shipyard, to perform, on the Redevelopment Agency's behalf, certain interim management functions and other responsibilities with respect to the conversion of the Hunters Point Naval Shipyard, and further urging the Redevelopment Agency to explore other opportunities for such corporation to assist in the City's and the Agency's base conversion efforts as appropriate to the corporation's experience and expertise. (Supervisors Shelley, Biermnan)

File 244-94-7, Resolution No. 503-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 10.

Absent: Supervisor Maher - 1.

Tabled

[Presidio Public Review]
Resolution urging the National Park Service to provide full public review of the request for qualifications process pertaining to the Letterman Complex at the Presidio. (Supervisors Shelley, Bierman)

File 244-94-8, Resolution No.

Supervisor Shelley, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley - 9.

Absent: Supervisors Maher, Migden - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing confirming Report of Revised Assessment of Costs submitted by the Director of Public Works for demolition services of building known as 22-30 Alta Street ordered to be rendered by the Director pursuant to the provisions of Sections 203(m) and 203(o) of the Building Code; the costs thereof having been paid for out of the repair and demolition fund.

File 41-94-2

(Cost $150,000.)

The President inquired if anyone present wished to speak.

There being no one present wishing to speak, the President declared the hearing closed.

From the Department of Public Works

Adopted

[Revised Assessment for Costs for Code Violation Abatement]
Resolution confirming the Report of Revised Assessment of Costs submitted by the Director of Public Works for services ordered to be rendered of building known as 22-30 Alta Street pursuant to the provisions of Sections 203(m) and 203(o) of the Building Code; the costs thereof having been paid for out of the repair and demolition fund.

File 41-94-2, Resolution No. 461-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

COMMITTEE REPORTS

Recommendation of Housing and Land Use Committee

Passed for Second Reading

[Nonconforming Business Wall Signs]
Ordinance amending City Planning Code to allow replacing and modification of certain existing non-complying business wall signs in C-3 (Downtown Commercial) Districts and the Market Street Special Sign District, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Leal, Kaufman, Hsieh, Maher, Conroy, Kennedy, Alioto, Hallinan, Shelley, Bierman, Migden)

File 115-94-5, Ordinance No.

(Approved by City Planning Commission Resolution No. 13674.
General Rule Exclusion from Environmental Impact Review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley - 9.

Absent: Supervisors Maher, Migden - 2.

From Rules Committee

Adopted

[Appointment]
Resolution confirming Mayor's appointment of Frankie Lee to the Port Commission. (Supervisor Alioto)

File 33-94-3, Resolution No. 458-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Shelley - 9.

Absent: Supervisors Maher, Migden - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Richard Robinson, homes for poor people;
Louise Vaughn, Geneva Towers;
Patricia Murphy, problems with custody of son;
Kathy Perry, Geneva Towers;
Marie Harrison, Geneva Towers.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Honoring Henry C. "Bill" Lotz]
Resolution honoring Henry C. "Bill" Lotz on the occasion of his hundredth birthday. (Supervisors Shelley, Alioto)

File 006-94-033, Resolution No. 454-94

(May 16, 1994 - Introduced in Board for consideration on May 23, 1994.)

Adopted.

[Youth in California and the Nation]
Resolution requesting the Mayor to urge the Federal Government to seriously look at the statistics on youth crime, violent death, rising school dropout rate in California, as well as the nation, as found by the "Kids Count Data Book," and to develop programs that will reverse the trend i.e. job opportunities, training and earning for low income and low skill workers. (Supervisors Kennedy, Alioto)

File 013-94-014, Resolution No. 455-94

(May 16, 1994 - Introduced in Board for consideration on May 23, 1994.)

Adopted.

[Recycled Paper Coalition]
Resolution authorizing and urging the Chief Administrative Officer of San Francisco to endorse the Recycled Paper Coalition's membership charter and appoint a representative to work with the Coalition in its efforts. (Supervisors Shelley, Alioto)

File 057-94-002, Resolution No. 464-94

(May 16, 1994 - Introduced in Board for consideration on May 23, 1994.)

Adopted.

[Redevelopment Agency Application to HUD]
Resolution authorizing the Redevelopment Agency to apply to the U.S. Department of Housing and Urban Development on behalf of the City and County of San Francisco for designation as a Federal Empowerment Zone or Enterprise Community. (Supervisors Kennedy, Alioto)

File 161-94-002.01, Resolution No. 475-94

(May 16, 1994 - Introduced in Board for consideration on May 23, 1994.)

Adopted.

[Marina Dredging and Breakwater]
Resolution urging the Mayor to oppose the construction of any additional breakwater in the Outer West Harbor and to begin dredging of the Marina Harbor immediately. (Supervisors Alioto, Hsieh, Shelley, Bierman)

File 173-94-002, Resolution No. 450-94

(May 16, 1994 - Introduced in Board for consideration on May 23, 1994.)

Adopted.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

[Amending the Task Force on Prostitution]
Resolution amending the resolutions creating the Task Force on Prostitution to change designated positions and to make technical amendments to uncontested positions to facilitate the work of the Task Force, which shall now consist of twenty-seven voting and two non-voting members. (Supervisor Hallinan)

File 174-94-001.07, Resolution No. 480-94

(May 16, 1994 - Introduced in Board for consideration on May 23, 1994.)

Adopted.

[Senior Services Plan Task Force]
Resolution amending Resolution No. 214-92, creating a Senior Services Plan Task Force, by extending to August 15, 1994, the date by which an interim plan from the Task Force is to be submitted to the Board, and by extending the termination date of the Task Force to December 31, 1994. (Supervisor Alioto)

File 174-94-006, Resolution No. 481-94

(May 16, 1994 - Introduced in Board for consideration on May 23, 1994.)

Adopted.

[Angel Island Minor Boundary Change]
Resolution setting July 11, 1994 as the hearing date for all persons interested in a proposal by the County of Marin to change the boundary lines of the City and County of San Francisco to remove certain portions of Angel Island known as East Garrison and Point Blunt from the City and County of San Francisco and place all of Angel Island within Marin County, and to make minor technical changes in said boundary lines at Red Rock to place all of Red Rock in San Francisco and Contra Costa Counties. (Supervisor Alioto)

File 199-94-001, Resolution No. 483-94

(May 16, 1994 - Introduced in Board for consideration on May 23, 1994.)

Adopted.

[Global Cities Project]
Resolution urging the Mayor to urge city departments to support the City's participation in the Global Cities Project's Sustainable Cities Initiative. (Supervisors Shelley, Alioto)

File 252-94-001, Resolution No. 485-94

(May 16, 1994 - Introduced in Board for consideration on May 23, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Kaufman, Leal, Maher - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-21, Resolution No. 445-94

(Lucille Abrahamson, member, Human Rights Commission, May 25 - 30; Marie K. Brooks, member, Airports Commission, May 18 - 27; James Herman, member, Port Commission, May 23 - 27; Patrick A. Murphy, President, Airports Commission, May 19 - 20; Michael S. Strunsky, member, Airports Commission, May 12 - 16, 1994.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Kaufman, Leal, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Parking Revenue Fund]
Ordinance amending Traffic Code Section 213 relating to the establishment, purpose and use of a Parking Revenue Fund. Supervisor Hsieh presented. Referred to Budget Committee.

File 124-94-006.02

[Transient Occupancy Tax]
Ordinance amending Part III, Municipal Code, by amending Section 515 to limit certain fiscal year 1994-95 allocations to the amounts allocated in fiscal year 1993-94. Supervisor Hsieh presented. Referred to Budget Committee.

File 127-94-8

Referred to Board

[Juneteenth Festival]
Resolution proclaiming June 18, 1994 Juneteenth Day in San Francisco and commending the supporters of the Western Addition Cultural Center for their dedication to promoting African American cultural

awareness and business development in San Francisco. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 31, 1994.

File 004-94-015

[SAMSHA Block Funds for Substance Abuse Programs]
Resolution supporting revised State procedures for allocation of Block Grant Funds from the Substance Abuse and Mental Health Services Administration (SAMSHA) for local substance abuse programs and urging our State representatives and Legislative representative to seek such changes. Supervisors Leal, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 31, 1994.

File 012-94-026

[Job Creation] Resolution urging the President and the Congress to pass Senate Bill 1830 to assist small business in creating new jobs through a targeted defense conversion loan guarantee program. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 31, 1994.

[File 013-94-015

Referred to Committee

[Stop Intersections, Jackson/Cherry Streets]
Resolution designating Jackson Street and Cherry Street as a Two-Way Stop. Supervisor Shelley presented. Referred to Housing and Land Use Committee.

File 018-94-009

[Stop Intersections, Jackson/Maple Streets]
Resolution designating Jackson Street and Maple Street as a Two-Way Stop. Supervisor Shelley presented. Referred to Housing and Land Use Committee.

File 018-94-010

Referred to Board

[Gift Acceptance]
Resolution accepting gift of Moscone Bust. Supervisors Shelley, Bierman, Hallinan, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar May 31, 1994.

File 038-94-007

[Ratify Arbitration Award, Local 21]
Resolution ratifying the administrative provisions of the arbitrator's award regarding the terms and conditions of employment for employees represented by the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO for the term July 1, 1993 through June 30, 1994. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar May 31, 1994.

File 093-93-006.01

Referred to Committee

[General Obligation Bond, Asian Art Museum]
Resolution determining and declaring the public interest and necessity demand the construction or completion by the City and County of San Francisco of the following municipal improvements, to wit: construction and reconstruction of certain improvements to the Main Library for the purpose of relocating the Asian Art Museum to such location, including seismic upgrading, asbestos abatement, providing access for the disabled, and other building code-required improvements, that the estimated cost of Forty-One Million Seven Hundred Twenty-Nine Thousand and Seven Hundred Dollars ($41,729,700) for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. Supervisor Shelley presented. Referred to Budget Committee.

File 170-94-010

[General Obligation Bond-San Bruno Jail Facility]
Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvement, to wit: acquisition, construction and/or reconstruction of county correctional facilities, including

replacement housing, administrative buildings, health clinics, training range, special housing units, health and safety improvements and renovation of certain improvements, that the estimated cost of One Hundred Ninety Eight Million Eight Hundred Fifty-Three Thousand Dollars $198,853,000 for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. Supervisor Maher presented. Referred to Budget Committee.

File 170-94-011

[General Obligation Bond-Loan and Grant Program]
Draft resolution setting forth a proposal to the qualified electors of the City and County for a $25 Million Dollar bond issue to establish a loan and grant program to assist non-profit, educational, religious, and social service organizations in the seismic retrofitting of structures of architectural/historic significance that contain public assembly spaces. In no case can grants from this fund be over 25% of all retrofitting costs nor shall any grant exceed $1 Million Dollars. Supervisor Maher presented. Referred to Budget Committee.

File 170-94-012

[Proposition-Lease Financing for Jail]
Draft resolution submitting to the qualified electors of the City and County on November 8, 1994 a proposition authorizing the lease financing of the replacement of the San Bruno County Jail Facility with a new facility on the same premises. Supervisor Maher presented. Referred to Budget Committee.

File 195-94-003

[Test Period for Automatic Public Toilets]
Resolution urging the Chief Administrative Officer to direct the Department of Public Works to conduct a test of the automatic public toilets manufactured and leased by the JCDecaux United Street Furniture, Inc. for a period of six months in two locations, one in the Tenderloin and one on Market Street. Supervisors Bierman, Kaufman presented. Referred to Housing and Land Use Committee.

File 200-94-002

Referred to Board

[Hate Crime-San Francisco State University]
Resolution deploring the use of hate messages and symbols on SFSU property, urging the removal of the offensive messages and symbols, urging the Mayor to urge the Human Rights Commission to work with the SFSU administrators and students to foster tolerance. Supervisors Kaufman, Shelley, Kennedy, Hallinan, Migden, Leal, Alioto, Maher, Hsieh, Bierman, Conroy presented. Referred to Board for Adoption Without Committee Reference Calendar May 31, 1994.

File 211-94-003

[Presidio Public Review]
Resolution urging the National Park Service to provide full public review of the request for qualifications process; that lease terms negotiated for the facility include a component that minimizes the traffic and parking impacts to the surrounding neighborhoods through the use of shuttle services and linkages to regional and local transit connections and the National Park Service commit to making best efforts to ensure that the property outside the Presidio will not be leased or purchased to support Letterman/LEHR activities especially if such uses are incompatible with existing zoning regulations. Supervisors Shelley, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 31, 1994.

File 244-94-008.01

[Renaming Health Center #2]
Resolution renaming Health Center #2 the Maxine Hall Health Center. Supervisors Kennedy, Maher, Hallinan, Conroy, Hsieh, Alioto, Leal, Shelley, Migden, Kaufman, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar May 31, 1994.

File 254-94-001

[Redevelopment Survey Area-Caltrain Station]
Resolution urging the Mayor to request the Redevelopment Agency of the City and County to prepare actions necessary to include the site of a relocated Caltrain Station in a Redevelopment Survey Area and to begin planning for a Redevelopment Project Area. Supervisor Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar May 31, 1994.

File 256-94-001

Referred to Committee

[Ballot Measure, Salary Setting]
Charter amendment (First Draft, Skeletal) adding Sections 8.400-1 and 8.406-1, amending Section 8.300-1 and deleting Sections 8.401, 8.401-1, 8.403, 8.404, 8.405, 8.407, 8.407-1, 8.409, 8.409-1, 8.409-2, 8.409-3, 8.409-4, 8.409-5, 8.409-6, 8.590-1, 8.590-2, 8.590-3, 8.590-4, 8.590-5, 8.590-6 and 8.5900-7 relating to compensation of city employees and officers. Supervisors Kaufman, Migden presented. Referred to Rules Committee.

File 257-94-1

[Ballot Measure, Structure of Government]
Charter amendment (First Draft, Skeletal) relating to the structure of the government and the powers, duties and structure of the Mayor, Board of Supervisors, Commissions, Departments and Officers. Supervisor Kaufman presented. Referred to Rules Committee.

File 258-94-001.

[Ballot Measure, Senior Executive Management Corps.]
Charter amendment (First Draft, Skeletal) adding Section 3.103-1, creating a Senior Executive Management Corps, designating the city positions which shall be placed in the Senior Executive Management Corps and providing for the setting of compensation and benefits for a Senior Executive Management Corps. Supervisor Kaufman presented. Referred to Rules Committee.

File 259-94-001.

[Ballot Measure, Early Service Retirement]
Charter amendment (First Draft, Skeletal) to add Section 8.517-3, relating to the early service retirement of city officers and employees. Supervisor Kaufman presented. Referred to Rules Committee.

File 260-94-001.

[Ballot Measure, New Charter]
Charter amendment (First Draft, Skeletal) to repeal the 1932 Charter and to enact a new Charter. Supervisor Kaufman presented. Referred to Rules Committee.

File 261-94-001.

[Ballot Measure, Domestic Partners]
Charter amendment (First Draft) to add Section 8.500-2 relating to domestic partner benefits. Supervisors Migden, Leal, Kaufman, Alioto presented. Referred to Rules Committee.

File 262-94-001.

[Ballot Measure, District Elections Commission]
Charter amendment (First Draft, Skeletal) to establish a District Elections Commission with the duty and function of preparing a plan to provide the people of the City and County with adequate and fair representation for locally-elected legislative bodies including, but not limited to District, and/or numbered At-Large, and/or At-Large seats. Supervisor Hallinan presented. Referred to Rules Committee.

File 263-94-001.

[Ballot Measure, Procedural Charter Sections]
Charter amendment (First Draft, Skeletal) deleting certain obsolete sections of the Charter and deleting procedural sections from the Charter and directing the Board of Supervisors to enact into the City's Administrative Code these procedural sections deleted from the City Charter, or substantively similar procedures. Supervisor Bierman presented. Referred to Rules Committee.

File 264-94-001.

[Ballot Measure, Establish Comm. Status of Women]
Charter amendment (First Draft) to establish a Commission on the Status of Women. Supervisors Maher, Leal presented. Referred to Rules Committee.

File 265-94-001.

[Ballot Measure, Commission on Status of Women]
Charter amendment (First Draft) amending Section 8.107 to provide that members of the Commission on the Status of Women may be removed only for cause. Supervisors Maher, Leal presented. Referred to Rules Committee.

File 266-94-001.

[Ballot Measure, Parking and Traffic Dept./Comm.]
Charter amendment (First Draft) deleting Sections 3.698, 3.698-1, 3.698-2, and 3.698-3 relating to the Parking and Traffic Commission and the Department of Parking and Traffic, powers, duties of Commission and composition and organization of Department; amending Sections 3.510 to vest specified powers and duties relating to street traffic in the Department of Public Works; amending Section 3.538 to substitute the Department of Public Works for the Department of Parking and Traffic as the department to receive traffic accident reports and to submit plans for traffic control; amending Section 3.552 relating to the powers and duties of the Park Commission; amending Section 7.403 to transfer from the Parking and Traffic Commission to the Recreation and Park Commission the power, subject to specified conditions, to lease parking facilities under a park, square or playground. Supervisor Maher presented. Referred to Rules Committee.

File 267-94-001.

[Ballot Measure, Salary Standardization Ordinance]
Charter amendment (First Draft, Skeletal) to change the Salary Standardization Ordinance and allow the Board of Supervisors by a simple majority to freeze the increase in salaries over $75,000 a year. Supervisor Maher presented. Referred to Rules Committee.

File 268-94-001.

[Ballot Measure, Awarding Contracts]
Charter amendment (First Draft) amending Section 7.200 to require the officer responsible for awarding a contract on public construction, repair, or improvement projects, or the purchasing of necessary materials and supplies, to award the contract to the lowest responsible and reliable bidder except where the lowest responsible and reliable bidder is a non-resident business and there is a second lowest responsible and reliable bidder who is a resident
business. Supervisor Kaufman presented. Referred to Rules Committee.

File 269-94-001.

[Ballot Measure, Youth Commission]
Charter amendment (Skeletal) to establish a Youth Commission. Supervisor Alioto presented. Referred to Rules Committee.

File 271-94-001.

[Ballot Measure, Collective Bargaining]
Charter amendment (Skeletal) regarding collective bargaining. Supervisor Shelley presented. Referred to Rules Committee.

File 273-94-001.

Requests for Hearings:

File 100-94-001.01. [1994-1995 Budget] Hearing to receive the 1994-1995 Budget from the Mayor. Supervisor Hsieh presented. Referred to Budget Committee.

File 121-94-005. [Prohibit Psychological Testing by Employers] Hearing to consider legislation to prohibit the requirement of psychological testing by employers. Supervisor Maher presented. Referred to Government Efficiency/Labor Committee.

File 127-94-007. [Raise Utility Users Tax for Public Toilets] Hearing to consider an increase in the Utility Users Tax by one-quarter percent to pay for leasing 27 public toilets from the JCDecaux United Street Furniture, Inc. on an annual basis, eliminating the need to accept 4.5 advertising kiosks per toilet. Supervisors Bierman, Kaufman presented. Referred to Budget Committee.

File 185-94-001. [Mayor's Office of Children/Youth] Hearing to consider possible irregularities in the funding process for the 1994-95 fiscal year. Supervisor Alioto presented. Referred to Budget Committee.

File 223-94-004. [Quarterly Report on Status of 911 System] Hearing to consider the quarterly reports from all affected agencies regarding the status of the 911 Emergency Response System. Supervisor

Shelley presented. Referred to Health/Public Safety/Environment Committee

Motions:

Referred to Board

[Needle Exchange Emergency]

Motion concurring in the determination of the Mayor for the continued need for the Declaration of Emergency in connection with the Needle Exchange Program. Supervisor Alioto presented on behalf of the Clerk. Referred to Board for Adoption Without Committee Reference Calendar May 31, 1994.

File 030-94-001.10.

[Salary Standardization Ordinance Nurses]
Motion extending to and including June 20, 1994, the date for passage for second reading, and extending to and including June 27, 1994, the date for final adoption, of the salary ordinance for Registered Nurse Classifications subject to the provisions of Section 8.403 of the City Charter. Supervisor Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar May 31, 1994.

File 103-94-002.

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 101-93-120. [Appropriation, Sheriff Department, $202,500] Ordinance appropriating $202,500, Sheriff Department of jail overcrowding fine revenue to fund a Pretrial Diversion Program to reduce jail overcrowding for fiscal year 1993-94; placing $202,500 on reserve. (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-94-015. [Contract Out, Laundry Processing Services] Resolution concurring with the Controller's certification that the laundry processing services can be practically performed for the Department of Public Health, San Francisco General Hospital, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 061-94-003. [Contract Award Extension] Resolution granting extension of time for awarding Municipal Railway Contract No. 1101R2, Muni Metro System, Market Street Track Replacement, Phase 4 - Eleventh Street to Duboce Avenue. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 094-94-002. [1993-94 Muni Operations Claim to MTC] Resolution authorizing the Public Utilities Commission to apply for, accept, and expend $204,051 of Transportation Development Act (TDA) Article 3 Funds for 1993-94 operations. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 170-94-008. [GO Bonds, Earthquake Safety Program - Phase III] Resolution determining and declaring the public interest and necessity demand the acquisition, construction or completion by the City and County of San Francisco of the following municipal improvements, to wit: public safety improvements to buildings owned by the City and County of San Francisco, including earthquake repairs and earthquake hazards reductions, asbestos abatement, providing access for the disabled, building code-required improvements, all related to public safety to buildings owned by the City and County of San Francisco, including related acquisition, construction, and reconstruction or replacement of buildings necessary or convenient for the foregoing purpose, that the estimated cost of Nineteen Million Dollars ($19,000,000) for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Chief Administrative Officer/Capital Improvement Advisory Committee) Referred to Budget Committee.

File 170-94-009. [GO Bonds, City Hall Non-Seismic Improvements] Resolution determining and declaring the public interest and necessity demand the construction or completion by the City and County of San Francisco of the following municipal improvements, to wit: construction and reconstruction of certain improvements to City Hall, including life safety improvements, providing disabled access, historic preservation, electrical power and systems upgrade, functional space conversions and provision of a childcare facility, including related acquisition, construction and reconstruction necessary or convenient for the foregoing purpose, that the estimated cost of Fifty One Million Two Hundred Twenty-Seven Thousand Dollars ($51,227,000) for said Municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the

incurring of a bonded indebtedness. (Chief Administrative Officer/Capital Improvement Advisory Committee) Referred to Budget Committee.

File 253-94-001. [Loan of Historical Materials] Resolution authorizing the Director of Purchasing to loan property of historical or archival value to museums, libraries, schools or other organizations in San Francisco. (Purchasing Department) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that City Attorney prepare legislation to establish an airport departure tax on all foreign flights leaving San Francisco international Airport for a hearing before the Budget Committee on June 8, 1994. File 27-94-3.

By Supervisor Conroy, that letter of inquiry be sent to General Manager, Recreation and Park Department, regarding the possibility of further dredging of the Marina Yacht Harbor and to ascertain the ease with which a Fire Boat can use the Yacht Harbor in case of an emergency.

By Supervisor Conroy, that letter of inquiry be sent to Director, Human Resources Department and Director, Employee Relations Division, to request that the departments work together to prepare recommendations for the standardization of compensatory time off, record keeping and limits on the accrual and use of compensatory time, and other measures to curtail the ongoing abuses throughout the City regarding compensatory time.

By Supervisor Conroy, that Budget Analyst provide an update to the 1988 Harvey Rose Report on Overtime.

By Supervisor Maher, that City Attorney prepare legislation to prohibit the requirement of psychological testing by employers. File 121-94-5.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Jacqueline Bouvier Kennedy Onassis (By the entire Board)
Betsy Rojas (Supervisors Leal, Conroy, Migden, Bierman, Hsieh, Hallinan, Alioto, Kennedy, Kaufman, Shelley)
JoNell Biancalana Winters (Supervisor Hallinan)
Julius Brown (Supervisor Kennedy)

File 2-94-21

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:13 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 20, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Storage
5-31-94

c.2

Tuesday, May 31, 1994

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 89

Number 22

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, May 31, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Leal, Migden, Shelley - 7.

Noted absent at first roll call:

Supervisors Conroy, Kaufman, Kennedy, Maher - 4.

Quorum present.

Supervisor Conroy excused (see infra).

Supervisor Kaufman was noted present at 2:16 p.m.

Supervisor Kennedy was noted present at 2:17 p.m.

Supervisor Maher was noted present at 2:20 p.m.

Supervisor Conroy Excused

The Acting Clerk stated Supervisor Conroy requested to be excused from attending today's meeting.

Supervisor Leal, seconded by Supervisor Shelley, moved to excuse Supervisor Conroy.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Kennedy, Maher - 3.

Presentation of Guest

Supervisor Hallinan introduced Ms. Christina Shenk, Member of the Independent Women's Organization and first openly gay member of the German Parliament.

Suspension of the Rules

Supervisor Hallinan, seconded by Supervisor Leal moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Ms. Shenk.

No objection and motion carried.

Ms. Shenk briefly addressed the Board

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Parking Revenue Funds]
Ordinance amending Traffic Code by repealing and adding a new section, relating to the establishment,

purpose and use of the Off-Street Parking Fund. (Department of Parking and Traffic)

File 124-94-6, Ordinance No. 211-94

(Repeals Section 213;
Adds a New Section 213.)

Finally passed.

[Transient Occupancy Tax]
Ordinance amending Part III, Article 7 of the Municipal Code by adding Section 502.7 to temporarily suspend Sections 502 (imposition of and rate of tax), 502.5 (imposition of surcharge) and 502.6 (imposition of a 1.25 percent surcharge) in certain redevelopment project areas; adding Section 502.8 to impose a 12 percent tax on occupancies of guest rooms in hotels located in certain redevelopment project areas, providing a credit for transient occupancy taxes paid to the San Francisco Redevelopment Agency; adding Section 515.2 to provide that all percentage allocations calculated under Section 515 shall be based on the sum of the monies deposited in the hotel room tax fund plus two - thirds of the revenues generated from the transient occupancy tax levied within certain redevelopment project areas and providing for a reduction of the amount of hotel tax revenues allocated to the Chief Administrative Officer for convention facilities activities; and amending Section 517 to provide that a violation of any provision of the Redevelopment Agency Transient Occupancy Tax Ordinance shall constitute a misdemeanor. (Supervisor Bierman)

File 127-94-4, Ordinance No. 227-94

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport - Agreement]
Ordinance approving the "Fixed Base Operations Services Operating Agreement" between AMR Combs, Inc. and San Francisco, acting by and through its Airports Commission. (Airports Commission)

File 27-94-5, Ordinance No. 220-94

Finally passed.

[Litigation, Irina and Elena Shenkar and Abram Geldman]
Ordinance authorizing settlement of litigation of Irina Shenkar, Elena Shenkar, Land Abram Geldman, individually, and as surviving members of Anne Polyak Geldman, deceased, against San Francisco by payment of $60,000. (City Attorney)

File 45-94-25, Ordinance No. 222-94

(Superior Court No. 907-670)

Finally passed.

[Settlement of litigation, Farmers Insurance Company]
Ordinance authorizing settlement of litigation of Farmers Insurance Company against San Francisco by payment of $16,000. (City Attorney)

File 45-94-28, Ordinance No. 221-94

(Municipal Court No. 088-535)

Finally passed.

[Time for Award of Contracts]
Ordinance amending the Administrative Code, relating to time for award of Public Works contracts requiring the approval of the City's Recreation and Park Commission. (Department of Public Works)

File 97-94-27, Ordinance No. 229-94

(Adds Section 6.1-5.)

Finally passed.

[Time for Award of Contracts]
Ordinance amending the Administrative Code, relating to time for award of contracts for Federal and State Grant and Loan Funded Projects. (Department of Public Works)

File 97-94-28, Ordinance No. 223-94

(Adds Section 6.1-2.)

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Nonconforming Business Wall Signs]
Ordinance amending City Planning Code to allow replacing and modification of certain existing non-complying business wall signs in C-3 (Downtown Commercial) Districts and the Market Street Special Sign District, and adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Leal, Kaufman, Hsieh, Maher, Conroy, Kennedy, Alioto, Hallinan, Shelley, Bierman, Migden)

File 115-94-5, Ordinance No. 219-94

(Amends Sections 607 and 608.8)

(Approved by City Planning Commission Resolution No. 13674.
General Rule Exclusion from Environmental Impact Review.)

Finally passed.

Adopted

[Stop Signs, Establish, Various Streets]
Resolution designating certain intersections as "Stop" intersections. (Department of Parking and Traffic)

File 18-94-7, Resolution No. 490-94

(Stop Signs - Establish
Capitol and Lakeview Avenues, northwest and southeast corners, stopping Capitol Avenue traffic (makes this an all-way Stop).
Foote and Cayuga Avenues, northeast and southwest corners, stopping Foote Avenue traffic (presently uncontrolled).
Berkshire Drive and Lake Merced Boulevard, northeast corner, stopping Berkshire Drive traffic (presently uncontrolled, stops the stem of this T-intersection).

Adopted.

[Parking Regulations, Various Locations]
Resolution enacting and rescinding parking regulations at various locations. (Department of Parking and Traffic)

File 19-94-5, Resolution No. 491-94

(No Parking, 7:00 A.M. - 9:00 A.M. and 4:00 P.M. - 6:00 P.M., Monday Through Friday - Establish
Eighteenth Street, north side, from Castro Street to 39 feet easterly (39-foot zone, deletes one metered space during specified hours and days).
Eighteenth Street, south side, from Castro Street to 29 feet westerly (29-foot zone, deletes one metered space during specified hours and days).

No Parking, 5:00 A.M. - 8:00 A.M., Everyday - Rescind
Bryant Street, east side, from Mariposa Street to 120 feet northerly (120-foot zone).

No Parking Anytime - Rescind
Geneva Avenue, north side, from San Jose Avenue to 165 feet easterly (165-foot zone).

Tow-Away, No Parking Anytime - Rescind
Joost Avenue, south side, between Hazelwood and Ridgewood Avenues.

Tow-Away, No Parking Anytime - Establish
Joost Avenue, north side, between Hazelwood and Ridgewood Avenues.)

Adopted.

[Traffic Regulations, Various Locations]
Resolution enacting and rescinding traffic regulations on various streets. (Department of Parking and Traffic)

File 20-94-7, Resolution No. 492-94

No Stopping, 7:00 A.M. - 8:30 A.M. and 1:00 P.M. - 2:30 P.M., Weekdays - Rescind
No Stopping, 7:00 A.M. - 9:30 A.M. and 1:00 P.M. - 4:00 P.M., Weekdays - Establish
Paris Street, west side, from Excelsior Avenue to 200 feet northerly (existing 200-foot zone, change in effective hours only).

Tow-Away, No Stopping, 10:00 P.M. - 6:00 A.M., Everyday - Establish
Bernal Heights Boulevard, both sides, from Anderson Street to 225 feet westerly, including dead-end portion at Bernal Heights Park gate (225-foot zone).

Tow-Away, No Stopping Anytime - Establish
Geneva Avenue, north side, from San Jose Avenue to 165 feet easterly (165-foot zone).

Tow-Away, No Stopping Anytime - Establish
Brannan Street, south side, from Sixth Street to 159 feet easterly (159-foot zone).

Adopted.

Recommendation of Rules Committee

Finally Passed

[Veterans' Affairs Commission]
Ordinance amending the Administrative Code, to allow the Board of Supervisors to waive the residency requirement for membership on the Veterans' Affairs Commission. (Supervisors Kaufman, Kennedy, Leal)

File 97-94-34, Ordinance No. 224-94

(Amends Section 5.102.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Conroy, Migden - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

(Supervisor Alioto dissenting in Committee.)

[Appropriation, Municipal Railway]
Ordinance appropriating and transferring $50,062 for salaries, fringe benefits and work order services, creating ten positions and deleting three positions at the Municipal Railway; rescinding $14,955 for salaries, fringe benefits and work order services, deleting one position at the Public Utilities Commission for fiscal year 1993-94 (Implement Proposition M, create Transportation Commission). (Controller)

File 101-93-114, Ordinance No. 225-94

Finally passed by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 8.

Noes: Supervisor Alioto - 1.

Absent: Supervisors Conroy, Migden - 2.

(Supervisor Alioto dissenting in Committee.)

[Municipal Railway, Add 10 positions/delete three positions]
Ordinance amending the Annual Salary Ordinance No. 242-93, reflecting the creation of ten positions and the deletion of three positions in the Municipal Railway and the deletion of one position at the Public Utilities Commission; companion measure to File 101-93-114. (Department of Human Services)

File 102-93-34, Ordinance No. 226-94

Finally passed by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 8.

Noes: Supervisor Alioto - 1.

Absent: Supervisors Conroy, Migden - 2.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Sheriff Department]
Ordinance appropriating $11,010, Sheriff Department, Jail Overcrowding Fine Revenue to expand the Residential Care Program to minimize jail overcrowding for fiscal year 1993-94 (includes other non-personal services). (Controller)

File 101-93-96.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Conroy, Migden - 2.

[Appropriation, Dept. of Public Works]
Ordinance appropriating and certifying $89,606, Department of Public Works, for capital improvement project to cover ten percent overage for the Traffic Signal Improvements Project as per Charter Section 7.203; providing for ratification of action previously taken. (Controller)

File 101-93-115, Ordinance No.

(Fiscal impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Conroy, Migden - 2.

[Appropriation, Fire Department]
Ordinance appropriating $2,600,815, Fire Department, from the General Reserve to uniform salaries, mandatory fringe benefits, Workers Compensation and facilities maintenance for fiscal year 1993-94; subject of previous budgetary denial. (Controller)

File 101-93-116, Ordinance No.

(Fiscal impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 9.

Absent: Supervisors Conroy, Migden - 2.

[Appropriation, Municipal Railway]
Ordinance appropriating $2,652,165, Municipal Railway, from the General Fund Reserve to other non-personal services (Caltrain payments), and materials and supplies for fiscal year 1993-94. (Controller)

File 101-93-119, Ordinance No.

(Fiscal impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Noes: Supervisor Hallinan - 1.

Absent: Supervisors Conroy, Shelley - 2.

[Quitclaim Sludge Line Easement]
Ordinance authorizing quitclaim of the sludge line easement identified as a portion of Assessor's parcels 4349/4/4A and 5214/1 in connection with the construction of the Islais Creek Transport Storage Project; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 82-93-10.1, Ordinance No.

(Fiscal impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

[Arbitrator's Award, Local 21]
Ordinance implementing the fiscal provisions of the Arbitrator's award regarding the compensation of classifications represented by the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO for the period July 1, 1994 through June 30, 1995. (Supervisors Shelley, Alioto, Bierman)

File 93-94-12.1, Ordinance No.

(Fiscal impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

Adopted as Amended

[Arbitration Award]
Resolution ratifying the Administrative provisions of the Arbitrator's Award <u>as amended by agreement of the parties</u> regarding the terms and conditions of employment for employees represented by the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO for the term July 1, 1994 through June 30, 1997. (Supervisors Shelley, Alioto, Bierman)

File 93-94-12, Resolution No. 505-94

Supervisor Hsieh, seconded by Supervisor Kaufman, moved an amendment of the whole entitled, "Resolution ratifying the Administrative provisions of the Arbitrator's Award as amended by Agreement of the parties regarding the terms and conditions of employment for employees represented by the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO for the term July 1, 1994 through June 30, 1997".

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

Passed for Second Reading

[Earthquake Hazard Reduction]
Ordinance amending Building Code, to revise the criteria for the retrofit of unreinforced masonry bearing wall buildings greater than six stories in height. (Supervisors Hsieh, Alioto)

File 114-94-3. Ordinance No.

(Amends Sections 1509 and 1511.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

[Real Property Transfer Tax, Domestic Partners]
Ordinance amending Part III, Municipal Code, (Real Property Transfer Tax Ordinance) to exempt domestic partners from transfer taxes when their partnership dissolves. (Supervisors Migden, Alioto, Bierman, Hsieh, Leal, Shelley)

File 127-94-5, Ordinance No.

(Fiscal Impact.)

(Amends Section 1108.1.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

In connection with the above item, Supervisors Leal, Shelley requested to be added as co-sponsors.

Adopted

[Emergency Repairs, Bulkhead Buildings, Piers 29/31]
Resolution approving a declaration of emergency for demolition and removal of plaster cornice from bulkhead buildings at Piers 29 and 31; Port Contract No. 2600 - $29,000. (Port Commission)

File 28-94-11, Resolution No 493-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

<u>From Budget Committee "Without Recommendation"</u>

Consideration Continued

[In-Home Supportive Services Contract Award 1994/97]

Resolution finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter of San Francisco and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract to National Homecare Systems. (Department of Social Services)

File 172-94-14, Resolution No.

(May 9, 1994 - Referred to Budget Committee by the Board.)

Supervisor Hallinan, seconded by Supervisor Maher, moved to continue consideration to July 25, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Conroy, Shelley - 2.

Recommendations of Economic Vitality and Social Policy Committee

Adopted

[Muni Safety]
Resolution urging the Mayor to urge the Public Utilities Commission, the Police Department, Unified School District and all private school representatives to work cooperatively to reduce the incidents of crime and assaults on drivers and passengers on the Municipal Railway and urging the Mayor to urge the Public Utilities Commission and the Police Department to develop adequate response systems for responding to emergencies and altercations on the Municipal Railway. (Supervisors Conroy, Alioto, Shelley)

File 7-93-14.1, Resolution No. 487-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

In connection with the above item, Supervisors Alioto, Shelley requested to be added as co-sponsors.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

Rereferred to Committee

[Old St. Mary's Cathedral]
Resolution declaring the City and County's recognition of support of Old St. Mary's Cathedral (one of the City's oldest historical and social pioneers) and urging the people of San Francisco to assist Old St. Mary's in its bid to raise the funds necessary to seismically retrofit the 140 year-old landmark. (Supervisors Hsieh, Alioto)

File 246-94-1, Resolution No.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to rerefer to the Economic Vitality and Social Policy Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisors Hsieh, Maher - 2.

Absent: Supervisor Conroy - 1.

The President reassumed the Chair.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[Haight Ashbury Neighborhood, Public Safety Issues]

Resolution urging the Mayor to urge the Police Commission to continue making enforcement of drug dealing laws a top priority by the Police Department in the Haight-Ashbury District, and urging the District Attorney to make prosecution of individuals arrested for drug dealing a top priority. (Supervisors Alioto, Shelley)

File 243-94-2, Resolution No. 497-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

Recommendation of Housing and Land Use Committee

Consideration Continued

[Williams Building]
Resolution urging the Redevelopment Agency to retain the Williams Building; to ensure that temporary work now does not reduce the feasibility of future rehabilitation; create a program to assist the seismic retrofit of architecturally/historically significant unreinforced masonry buildings; and to demonstrate good faith to the 1984 Agreement between the federal government and the City and County. (Supervisors Maher, Bierman, Alioto)

File 161-93-10, Resolution No.

Supervisor Maher, seconded by Supervisor Kaufman, moved to continue consideration to July 11, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Richard Robinson, homes for poor people;
Louise Vaughn, Geneva Towers;
Patricia Murphy, problems with custody of son;
Kathy Perry, Geneva Towers;
Marie Harrison, Geneva Towers.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Hsieh requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Redevelopment Survey Area-Caltrain Station]
Resolution urging the Mayor to request the Redevelopment Agency of the City and County to prepare actions necessary to include the site of a relocated Caltrain Station in a Redevelopment Survey Area

and to begin planning for a Redevelopment Project Area. (Supervisor Hsieh)

File 256-94-001, Resolution No.

(May 23, 1994 - Introduced in Board for consideration on May 31, 1994.)

Supervisor Hsieh, seconded by Supervisor Leal, moved to refer to Housing and Land Use Committee.

Motion to refer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Maher - 3.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Juneteenth Festival]
Resolution proclaiming June 18, 1994 Juneteenth Day in San Francisco and commending the supporters of the Western Addition Cultural Center for their dedication to promoting African American cultural awareness and business development in San Francisco. (Supervisors Shelley, Kennedy, Alioto, Leal)

File 004-94-015, Resolution No. 486-94

(May 23, 1994 - Introduced in Board for consideration on May 31, 1994.)

Adopted.

In connection with the above item, Supervisors Kennedy, Alioto, Leal requested to be added as co-sponsors.

[SAMSHA Block Funds for Substance Abuse Programs]
Resolution supporting revised State procedures for allocation of Block Grant Funds from the Substance Abuse and Mental Health Services Administration (SAMSHA) for local substance abuse programs and urging our State representatives and Legislative representative to seek such changes. (Supervisors Leal, Bierman, Alioto, Shelley)

File 012-94-026, Resolution No. 488-94

(May 23, 1994 - Introduced in Board for consideration on May 31, 1994.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Job Creation]
Resolution urging the President and the Congress to pass Senate Bill 1830 to assist small business in creating new jobs through a targeted defense conversion loan guarantee program. (Supervisors Shelley, Alioto)

File 013-94-015, Resolution No. 489-94

(May 23, 1994 - Introduced in Board for consideration on May 31, 1994.)

Adopted.

[Gift Acceptance]
Resolution accepting gift of Moscone Bust. (Supervisors Shelley, Bierman, Hallinan, Alioto, Leal)

File 038-94-007, Resolution No. 494-94

(May 23, 1994 - Introduced in Board for consideration on May 31, 1994.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Ratify Arbitration Award, Local 21]
Resolution ratifying the administrative provisions of the arbitrator's award regarding the terms and conditions of employment for employees represented by the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO for the term July 1, 1993 through June 30, 1994. (Supervisors Shelley, Alioto)

File 093-93-006.01, Resolution No. 495-94

(May 23, 1994 - Introduced in Board for consideration on May 31, 1994.)

Adopted.

[Hate Crime-San Francisco State University]
Resolution deploring the use of hate messages and symbols on SFSU property, urging the removal of the offensive messages and symbols, urging the Mayor to urge the Human Rights Commission to work with the SFSU administrators and students to foster tolerance. (Supervisors Kaufman, Shelley, Kennedy, Hallinan, Migden, Leal, Alioto, Maher, Hsieh, Bierman, Conroy)

File 211-94-003, Resolution No. 496-94

(May 23, 1994 - Introduced in Board for consideration on May 31, 1994.)

Adopted.

[Presidio Public Review]
Resolution urging the National Park Service to provide full public review of the request for qualifications process; that lease terms negotiated for the facility include a component that minimizes the traffic and parking impacts to the surrounding neighborhoods through the use of shuttle services and linkages to regional and local transit connections and the National Park Service commit to making best efforts to ensure that the property outside the Presidio will not be leased or purchased to support Letterman/LEHR activities especially if such uses are incompatible with existing zoning regulations. (Supervisors Shelley, Bierman)

File 244-94-008.01, Resolution No. 498-94

(May 23, 1994 - Introduced in Board for consideration on May 31, 1994.)

Adopted.

[Renaming Health Center #2]
Resolution renaming Health Center #2 the Maxine Hall Health Center. (Supervisors Kennedy, Maher, Hallinan, Conroy, Hsieh, Alioto, Leal, Shelley, Migden, Kaufman, Bierman)

File 254-94-001, Resolution No. 506-94

(May 23, 1994 - Introduced in Board for consideration on May 31, 1994.)

Adopted.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the Declaration of Emergency in connection with the Needle Exchange Program. (Supervisors Alioto, Leal)

File 030-94-001.10

(May 23, 1994 - Introduced in Board for consideration on May 31, 1994.)

Adopted.

In connection with the above item, Supervisor Leal requested to be added as co-sponsor.

[Salary Standardization Ordinance Nurses]
Motion extending to and including June 20, 1994, the date for passage for second reading, and extending to and including June 27, 1994, the date for final adoption, of the salary ordinance for Registered Nurse Classifications subject to the provisions of Section 8.403 of the City Charter. (Supervisor Hallinan)

File 103-94-002

(May 23, 1994 - Introduced in Board for consideration on May 31, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Maher - 3.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-22, Resolution No. 453-94

(Annemarie Conroy, member, Board of Supervisors, May 28 - 31; James Herman, member, Port Commission, May 23 - 27; Katheryn Fong, member, June 1 - 3, 1994.)

Adopted.

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Maher - 3.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt motion (a) or motion (b) and then adopt motion (c). Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

Adopted

[Purely Commendatory Finding]
Motion that the Board finds by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Maher - 3.

[Brown Act Finding]
Motion that the Board finds by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Maher - 3.

Adopted

[Commendation]
Resolution commending Lesbians and Gays of African Descent for Democratic Action.

File 006-94-034, Resolution No. 452-94

Supervisors Leal, Alioto, Kennedy, Kaufman, Migden, Hallinan, Bierman, Shelley presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Absent: Supervisors Bierman, Conroy, Maher - 3.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Reclassification of Property]
Ordinance amending City Planning Code by amending the Zoning Map of the City and County of San Francisco for property in the Civic Center area, generally bounded by McAllister and Polk Streets, Redwood Alley and Van Ness Avenue, to reclassify Assessor's Block 766, Lots 2, 3, 4 and 5 from a 70-X Height and Bulk District to a 80-X Height and Bulk District. Supervisor Hsieh presented. Referred to Housing and Land Use Committee.

File 036-94-004.

[Retirement Board Elections]
Ordinance amending the San Francisco Administrative Code by amending Sections 16.550 through 16.564 thereto regarding Retirement Board elections pursuant to Proposition R adopted November, 1993. Supervisor Alioto presented. Referred to Rules Committee.

File 097-94-038.

[City Planning Code Fee Exception]
Ordinance authorizing an exception for the courthouse construction project to requirements set forth in City Planning Code Sections 351, 352, 356 and 358 regarding fees for the Department of City Planning. Supervisor Hsieh presented. Referred to Budget Committee.

File 115-94-007.

[Single Room Occupancy Living Units]
Draft Ordinance amending City Planning Code by amending existing Sections 134, 135, 140, 151, 207.5, 208, 209.2, 813 through 818 and 890.88; to define Single Room Occupancy Living Units and provide density, rear yard, usable open spaces, dwelling unit exposure and parking regulations for them in the South of Market Base District, to correct provisions of the rear yard requirements inadvertently changed in a previous ordinance and finding that the legislation is consistent with the priority policies of City Planning Code Section 101.1. Supervisor Kaufman presented. Referred to Housing and Land Use Committee.

File 115-94-008.

[Administrative Fee - Towing]
Ordinance amending Traffic Code by adding Section 170.2-A and 170.2-B thereto, providing for the collection of an administrative fee for the towing of vehicles under certain conditions and ordered by the Police Department, and amending Chapter 10C of the Administrative Code by amending Section 10C.1. Supervisor Migden presented. Referred to Budget Committee.

File 124-94-008.

[Transient Occupancy Tax]
Ordinance amending Part III, (Tax on Transient Occupancy of Hotel Rooms), of the Municipal Code by amending Section 502.7 thereto to add the Chinese Cultural and Trade Center Redevelopment Project Area as one of the Redevelopment Project Areas in which the tax and surcharges imposed by Sections 502, 502.5 and 502.6 of Article 7 shall be temporarily suspended to allow for the imposition of a 12 percent tax on occupancies of guest rooms in hotels in the Project Area, such 12 percent tax shall be levied

pursuant to Section 7280 of the California Revenue and Taxation Code. Supervisor Bierman presented. Referred to Budget Committee.

File 127-94-004.01.

Referred to Board

[Commendation]
Resolution commending the Women's International League for Peace and Freedom on the occasion of its Regional Congress June 9-12 in San Francisco and declaring June 9, 1994 Women's International League for Peace and Freedom Day in San Francisco. Supervisors Hallinan, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 6, 1994.

File 006-94-035.

[Commendation]
Resolution designating Gladys Hansen City Archivist Emeritus and commending her for forty-seven years of service at the San Francisco Public Library. Supervisors Hallinan, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 6, 1994.

File 006-94-036.

[Sewer Service Charge]
Resolution revising schedules of sewer service charges to be paid by users for fiscal year 1993-1994 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code) and Board of Supervisors Resolution No. 372-93, regarding rate reductions for low income residential units; providing for a severability clause. Supervisors Kaufman, Leal, Bierman presented. Referred to Board for Public Hearing on August 1, 1994.

File 021-93-002.

Referred to Committee

[Street Name Change]
Resolution renaming Twenty-Fourth Street, from Potrero Avenue westerly to Grandview Avenue, Ceasar Chavez Boulevard in honor of his contribution to farm workers and their families. Supervisor Maher presented. Referred to Housing and Land Use Committee.

File 075-93-001.

[Redevelopment Agency Budget - 1991-92]
Resolution approving an amendment to the Budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1991-92. Supervisors Shelley, Leal presented. Referred to Budget Committee.

File 161-91-003.02.

Referred to Board

[Contribution to Housing Authority]
Resolution authorizing contribution by City and County of San Francisco to the Housing Authority of the City and County of San Francisco by waiving payments in lieu of taxes for fiscal years, 1990-91, 1991-92, and 1992-93. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar June 6, 1994.

File 206-94-002.

[Job Corps Center on Treasure Island]
Resolution of endorsement of a Memorandum of Understanding between the United States Department of Labor and the City and County of San Francisco for a Job Corps Center on Treasure Island. Supervisors Kennedy, Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 6, 1994.

File 244-94-002.01.

[San Francisco City Store]
Resolution calling upon the Chief Administrative Officer to study
the feasibility of establishing a San Francisco city store that could capture new revenue through the innovative sale and recycling of surplus city merchandise, requesting a report of these findings,

including possible collaboration with a non-profit agency involved in job training and development for homeless persons. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar June 6, 1994.

File 274-94-001.

Requests for Hearings:

[Contracting Out of City Services]
Hearing to consider a study of contracting out of City services to private contractors as it impacts minority and women City employees, and to further consider that there be no contracting out while the study is underway. Supervisors Hallinan, Kennedy, Alioto, Shelley, Bierman presented. Referred to Government Efficiency/Labor Committee.

File 025-94-019.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-93-121. [Appropriation, Police/Senior Escort Program $45,000] Ordinance appropriating $45,000, Police Department (Senior Escort Program), from the General Fund Reserve to restore 23 positions, for fiscal year 1993-94; subject of previous budgetary denials and providing for ratification of action previously taken. RO #93314 (Controller) Referred to Budget Committee.

File 101-93-122. [Appropriation, Hetch Hetchy, $4,000,000] Ordinance appropriating $4,000,000, Hetch Hetchy, for the purchase of power and rescinding various capital improvement projects for fiscal year 1993-94. RO #93319 (Controller) Referred to Budget Committee.

File 045-94-030. [Settlement of Litigation, Paul Stribling] Ordinance authorizing settlement of litigation of Paul Stribling against the City and County of San Francisco by payment of $50,000. (Superior Court No. 951-399) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-94-031. [Settlement of litigation, James Wong] Ordinance authorizing settlement of litigation of James Wong against the City and County of San Francisco by payment of $35,000. (Superior Court No. 951-438). (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-94-032. [Settlement of Litigation, Jin L. Wu] Ordinance authorizing settlement of litigation of Wu against the City and County of San Francisco by payment of $8,500. (Municipal Court No. 067-525) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-94-033. [Settlement of Litigation/Wai Fan Chan-Kenneth Lo] Ordinance authorizing settlement of litigation of Wai Fan Chan Lo and Kenneth Lo against the City and County of San Francisco by payment of $20,000. (Superior Court No. 951-488) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-94-034. [Settlement of Litigation, Stephanie Allen] Ordinance authorizing settlement of litigation of Stephanie Allen against the City and County of San Francisco by payment of $20,000. (Superior Court No. 953-062) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-94-014. [MOU, Police Officers Association, Local 911] Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers Association, Local 911 for the ranks of Q-60 Lieutenant, Q-80 Captain, 0460 Police Commission Secretary, 0488 Commander and 0400 Deputy Chief for the period July 1, 1994 through June 30, 1995. (Also see File 93-94-15) (Office of the Mayor's Employee Relations Division) Referred to Government Efficiency/Labor Committee.

File 093-94-015. [MOU, Police Officers Association, Local 911] Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers Association, Local 911 for the Ranks of Q-2 Police Officer, Q-20 Police Woman, Q-35 Assistant Inspector, 0308 Inspector, and Q-50 Sergeant for the period July 1, 1994 through June 30, 1995. (Also see File 93-94-14) (Office of the Mayor's Employee Relations Division) Referred to Government Efficiency/Labor Committee.

File 093-94-016. [MOU, Firefighters Union, Local 798, IAFF, AFL-CIO] Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters Union, Local 798, IAFF, AFL-CIO for the period July 1, 1994 through June 30, 1995. (Office of Mayor's Employee Relations Division) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 172-93-024.01. [Consent to Relinquishment, Parcels Near I-280] Resolution consenting to State of California's relinquishment through its Department of Transportation to the City and County of San Francisco portions of State Right-of-Way in the vicinity of Route 280 between Plymouth Avenue and Justin Drive. (Also see File 172-93-24.) (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 025-94-016. [Contract Out, Shuttle Bus Services] Resolution approving the Controller's certification that shuttle bus services for San Francisco International Airport can practically be performed by private contractor at a lower cost for fiscal year commencing July 1, 1994 than if work were performed by City and County employees. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 025-94-017. [Contract Out, Intake and Shelter Services] Resolution concurring with the Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

File 025-94-018. [Contract Out, Court Management System Services] Resolution concurring with the Controller's certification that services of the Court Management System Coordinator can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (The Municipal Court) Referred to Government Efficiency/Labor Committee.

File 040-94-009. [Extend Residential Parking Area "K"] Resolution extending Buffer Zone A-K of Residential Permit Parking Area "K" in the Cow Hollow/Golden Gate Valley and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-94-010. [Settlement of Claim, Laboyd Elder] Resolution approving the settlement of the unlitigated claim of Laboyd Elder by payment of $11,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-94-011. [Settlement of Claim, Can Chang Yang] Resolution approving the settlement of the unlitigated claim of Can Chang Yang by payment of $8,250.00. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 146-94-007. [Grant - State, Handicapped Transportation Services] Resolution authorizing the Department of Public Health, Laguna Honda Hospital, to apply for, accept and expend a grant of $47,760 and a required match in the amount of $11,940, which is twenty percent of the indirect costs, from the State of California, Department of Transportation (CALTRANS) for handicapped transportation services to the residents of San Francisco; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-94-008. [Grant - State, Grief Support Training Program] Resolution authorizing the Department of Public Health, Central Administration Emergency Services (EMS) Agency, to apply for, retroactively, and accept and expend a grant of $50,540, which includes indirect costs in the amount of $5,541, based on twenty five percent of personnel costs from the State Emergency Medical Services Authority, to provide for the development of a grief support training program for prehospital personnel, providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-94-009. [Grant - State, Substance Abuse Prevention to Youth] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to accept and expend retroactively a grant up to the amount of $585,610 which excludes indirect costs from the State of California, Office of Traffic Safety for substance abuse prevention to youth in San Francisco schools; waiving indirect costs and providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-94-010. [Grant - State, Unreimbursed Health Care Costs] Resolution authorizing the Department of Public Health, Central Office, Community Public Health and Community Mental Health Services, to accept and expend in fiscal year 1992-1993 funds of up to $560,000 which includes indirect costs in the amount of approximately $99,000 based on eighteen percent of the total award from the State Department of Health Services, State Legalization Impact Assistance Grant (SLIAG) for unreimbursed public health care costs of persons who are legalized pursuant to the provisions of the Immigration Reform and Control Act (IRCA). (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 150-94-002. [Federal Grant - Beach Chalet Restoration, Phase I] Resolution authorizing the Recreation and Park Department to accept and expend grant funds in the amount of $724,000, from the Intermodal Surface Transportation Efficiency Act for the Beach Chalet Restoration Phase I Project. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 172-94-019. [Contract, Temporary Custody of Juvenile Ward] Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to enter into a contract with California Youth Authority for emergency custody of a juvenile ward of the Court from the County of San Francisco; providing for ratification of action previously taken. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

File 172-94-020. [Contract, Temporary Custody of Female Juveniles] Resolution approving a new contract

for the 1994-95 contract year between the City and County of San Francisco, Juvenile Probation Department, and the County of Santa Clara, Santa Clara County Probation Ranches, to provide for the placement of female juveniles. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

File 172-94-021. [Claims Submission/Reprocessing Services] Resolution approving the contract between the City and County of San Francisco, Department of Public Health, and Health Management Systems, Inc. to provide electronic claims submission and retroactive claims reprocessing services. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-94-022. [Approval of Civic Center Management Contract] Resolution approving a contract with AMPCO Parking to manage the Civic Center Garage. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kaufman, that City Attorney prepare legislation, as authorized by Assembly Bill 382, to allow for the transfer of the property tax base year value of property in another county in the state that has been substantially damaged or destroyed by a disaster, as provided, to comparable replacement property, of equal or lesser value, that is located in the adopting county and is acquired or newly constructed within three years of the damage to, or destruction of, the original property.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Mrs. Josephine McDonagh (Supervisor Conroy)
Mr. Adelbert Lee Campbell (Supervisor Kennedy)
Mrs. Faith Brown (Supervisor Kennedy)
Mrs. Lela Bell Junior (Supervisor Kennedy)
Mr. Milton Savage (By the entire Board)

File 2-94-22

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:25 p.m. adjourned.

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 20, 1994.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, June 6, 1994

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 89 Number 23

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 6, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Noted absent at first roll call:

Supervisors Conroy, Kennedy, Maher, Shelley - 4.

Quorum present.

Supervisor Shelley excused. (See infra.)

Supervisor Conroy was noted present at 2:20 p.m.

Supervisor Kennedy was noted present at 2:20 p.m.

Supervisor Maher was noted present at 2:36 p.m.

Supervisor Shelley Excused

The Clerk stated Supervisor Shelley requested to be excused from attending today's meeting.

Supervisor Hallinan, seconded by Supervisor Kaufman, moved to excuse Supervisor Shelley.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Absent: Supervisors Conroy, Kennedy, Maher, Shelley - 4.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Bierman, moved that the Journal of Proceedings for Monday, May 16, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Absent: Supervisors Conroy, Kennedy, Maher, Shelley - 4.

COMMUNICATION

The Clerk presented the following communication from the Mayor:

Referred to Committee

[Building Inspectors Association, Interest Arbitration]
Communication from Mayor appealing the decision of the Mediation/Arbitration Board dated May 23, 1994 and requesting, pursuant to Charter Section 8.409-4(e), that the Board of Supervisors reject the decision of the Arbitration Board concerning Building Inspectors' Association.

File 93-94-17

(Filed May 31, 1994.)

(Pursuant to Charter Section 8.409-4(e) the Board of Supervisors may reject the arbitration board decision within 21 days of the filing of an appeal, by a two-thirds vote.)

Supervisor Hallinan, seconded by Supervisor Kaufman, moved to refer this matter to Government Efficiency and Labor Committee with direction to report back to the Board by June 20, 1994.

Motion to refer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Absent: Supervisors Conroy, Kennedy, Maher, Shelley - 4.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Sheriff Department]
Ordinance appropriating $11,010, Sheriff Department, Jail Overcrowding Fine Revenue to expand the Residential Care Program to minimize jail overcrowding for fiscal year 1993-94 (includes other non-personal services); placing $74,040 on reserve. (Controller)

File 101-93-96.1, Ordinance No. 232-94

Finally passed.

[Appropriation, Dept. of Public Works]
Ordinance appropriating and certifying $89,606, Department of Public Works, for capital improvement project to cover ten percent overage for the Traffic Signal Improvements Project as per Charter Section 7.203; providing for ratification of action previously taken. (Controller)

File 101-93-115, Ordinance No. 233-94

(Fiscal Impact.)

Finally passed.

[Quitclaim Sludge Line Easement]
Ordinance authorizing quitclaim of the sludge line easement identified as a portion of Assessor's parcels 4349/4/4A and 5214/1 in connection with the construction of the Islais Creek Transport Storage Project; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 82-93-10.1, Ordinance No. 230-94

(Fiscal Impact.)

Finally passed.

[Arbitrator's Award, Local 21]
Ordinance implementing the fiscal provisions of the Arbitrator's award regarding the compensation of classifications represented by the International Federation of Professional and Technical Engineers, Local 21, AFL-CIO for the period July 1, 1994 through June 30, 1995. (Supervisors Shelley, Alioto, Bierman)

File 93-94-12.1, Ordinance No. 231-94

(Fiscal Impact.)

Finally passed.

[Earthquake Hazard Reduction]
Ordinance amending Building Code, to revise the criteria for the retrofit of unreinforced masonry bearing wall buildings greater than six stories in height. (Supervisors Hsieh, Alioto)

File 114-94-3. Ordinance No. 228-94

(Amends Sections 1509 and 1511.)

Finally passed.

[Real Property Transfer Tax, Domestic Partners]
Ordinance amending Part III, Municipal Code, (Real Property Transfer Tax Ordinance) to exempt domestic partners from transfer taxes when their partnership dissolves. (Supervisors Migden, Alioto, Bierman, Hsieh, Leal, Shelley)

File 127-94-5, Ordinance No. 236-94

(Fiscal Impact.)

(Amends Section 1108.1.)

Finally passed.

Passed for Second Reading

[Appropriation, Sheriff Department, $202,500]
Ordinance appropriating $202,500, Sheriff Department of Jail Overcrowding Fine Revenue to fund a Pretrial Diversion Program to reduce jail overcrowding for fiscal year 1993-94; placing $202,500 on reserve. (Supervisor Alioto)

File 101-93-120, Ordinance No.

Passed for second reading.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Appropriation, Fire Department]
Ordinance appropriating $2,600,815, Fire Department, from the General Reserve to uniform salaries, mandatory fringe benefits, Workers Compensation and facilities maintenance for fiscal year 1993-94; subject of previous budgetary denial. (Controller)

File 101-93-116, Ordinance No. 234-94

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

[Appropriation, Municipal Railway]
Ordinance appropriating $2,652,165, Municipal Railway, from the General Fund Reserve to other non-personal services (Caltrain payments), and materials and supplies for fiscal year 1993-94. (Controller)

File 101-93-119, Ordinance No. 235-94

(Fiscal Impact.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, DPW]
Ordinance appropriating and rescinding $650,000, Department of Public Works, from various capital projects and the Recreation and Park Special Revenue Fund for the completion of Candlestick Park Capital Project for fiscal year 1993-94; providing for ratification of action previously taken. (Supervisor Alioto)

File 101-93-117, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

[Parking Revenue Fund]
Ordinance amending Traffic Code relating to the establishment, purpose and use of a Parking Revenue Fund. (Supervisor Hsieh)

File 124-94-6.2, Ordinance No.

(Amends Section 213.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

Adopted

[Park and Open Space Fund, 1994-95]
Resolution concurring with the general recommendations on the Park and Open Space Fund for fiscal year 1994-95, reserving approval or disapproval on specific acquisitions. (Recreation and Park Department)

File 168-94-3, Resolution No. 514-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

[Water Rates - Finding]
Resolution making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of approval of a proposed revised schedule of rates to be charged by the San Francisco Water Department for water supplied to its suburban resale customers. (Public Utilities Commission)

File 142-94-1, Resolution No. 509-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

(Only one of the following two resolutions should be adopted.)

Adopted

[Approving Revised Rates, Resale Customers]
Resolution approving revised schedule of rates to be charged by the San Francisco Water Department for water service and water supplied to its suburban resale customers. (Public Utilities Commission)

File 142-94-1.1, Resolution No. 510-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

From Budget Committee
with Recommendation "Do Not Pass"

Tabled

[Disapproving Revised Rates, Resale Customers]
Resolution disapproving revised schedule of rates charged by San Francisco Water Department for water service and water supplied to its suburban resale customers; companion measure to Files 142-94-1 and 142-94-1.1. (Public Utilities Commission)

File 142-94-1.2, Resolution No.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

Recommendations of Budget Committee

Adopted

[Water Rates - Finding]
Resolution making a finding that no tax subsidy will be required by the San Francisco Water Department by reason of approval of a proposed schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas. (Public Utilities Commission)

File 142-94-2, Resolution No. 511-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

(Only one of the following two resolutions should be adopted.)

Adopted

[Approving Revised Rates, Retail Water Services]
Resolution approving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas. (Public Utilities Commission)

File 142-94-2.1, Resolution No. 512-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

From Budget Committee
with Recommendation "Do Not Pass"

Tabled

[Disapproving Revised Rates, Retail Water Services]
Resolution disapproving revised schedule of rates to be charged by the San Francisco Water Department for retail water service in San Francisco and suburban areas; companion measure to Files 142-94-2 and 142-94-2.1. (Public Utilities Commission)

File 142-94-2.2, Resolution No.

(Fiscal Impact.)

Supervisor Hsieh, seconded by Supervisor Kennedy, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

Conference with Labor Negotiator -- Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources, and with Thornton C. Bunch, Employee Relations Director, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

Supervisor Leal, seconded by Supervisor Kaufman, moved to meet in closed session.

Motion to meet in closed session adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

Recess

The Board recessed at the hour of 2:45 p.m. to convene in closed session pursuant to above motion.

Reconvening of the Board

The Board, at the hour of 3:05 p.m., recessed the closed session and reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors, Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Noted absent:

Supervisors Shelley - 1.

Quorum present.

Report on Closed Session

Deputy City Attorney Randy Riddle reported that the Board of Supervisors met in closed session with Wendell Pryor, Director of Human Resources, and with Thornton C. Bunch, Employee Relations Director, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

The Clerk stated that the Board made no motion and took no action and recessed the closed session until later.

Reconvening the Closed Session

The Board recessed at the hour of 4:28 p.m. to reconvene in closed session.

Reconvening of the Board

The Board, at the hour of 4:59 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors, Alioto, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 7.

Noted absent:

Supervisors Bierman, Hsieh, Maher, Shelley - 4.

Quorum present.

Report on Closed Session

Deputy City Attorney Randy Riddle reported that the Board had met in closed session with Wendell Pryor, Director of Human Resources, and with Thornton C. Bunch, Employee Relations Director, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits, and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6. The meeting was informational only and the Board was not asked to take action.

The Acting Clerk of the Board stated that the Board took no action and made no motion.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 7.

Absent: Supervisors Bierman, Hsieh, Maher, Shelley - 4.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to acquisition of Lot 76 in Assessor's Block 2949A (O'Shaughnessy Hollow) by eminent domain for the Open Space Program, and to adopt findings pursuant to City Planning Code Section 101.1.

File 168-94-2.1

(May 9, 1994 - Pursuant to Motion File 168-94-2 adopted in Board.)

The privilege of the floor was granted to the following:

Lucretia Levinger; Phyllis Ayer for Clayton Mansfield; Dawn Murayama; Elizabeth Mettling; Vicki

Oppenheim; Eric Bright; Pete Halloran; Greg Gaar.

From Budget Committee Without Recommendation

Adopted

[Eminent Domain]
Resolution authorizing acquisition of Lot 76 in Assessor's Block 2949A (O'Shaughnessy Hollow) by eminent domain for the Open Space Program, and to adopt findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 168-94-2.1, Resolution No. 513-94

(May 9, 1994 - Consideration continued to June 6, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Espanola Jackson, Toxics at Bayview Hunters Point Shipyards, Geneva Towers;
Dehnert Queen, corruption in government;
Laurie Irving, support of recovery services for addicts;
Dr. Amos Brown, Third Baptist Church Alternative Program;
Odis Cook, Third Baptist Church Alternative Program;
Kathy Perry, Geneva Towers;
Marie Harrison, Geneva Towers;
Louise Vaughn, Geneva Towers;
Rev. Aubrey L. Lewis, Third Baptist Church Alternative Program;
Patricia Lloyd, Bill Lee and Toxic Program;
Keith Conzer, consolidation of Health Department;
Patricia Murphy, son taken from her;
Holton Wade, Third Baptist Church Alternative Program;
Arnold Townsend, Third Baptist Church Alternative Program.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Hallinan requested that the following measures be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Commendation]
Resolution commending the Women's International League for Peace and Freedom on the occasion of its Regional Congress June 9-12, 1994, in San Francisco and declaring June 9, 1994, Women's International League for Peace and Freedom Day in San Francisco. (Supervisors Hallinan, Alioto)

File 006-94-035, Resolution No. 194-94

(May 31, 1994 - Introduced in Board for consideration on June 6, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

Presentation Made

Supervisor Hallinan presented the Resolution to Stella Paton, President of the San Francisco Chapter of the Women's International League for Peace and Freedom.

Adopted as Amended

[Commendation]
Resolution designating Gladys Hansen City Archivist Emeritus and commending her for forty-seven years of service at the San Francisco Public Library. (Supervisors Hallinan, Alioto)

File 006-94-036, Resolution No. 508-94

(May 31, 1994 - Introduced in Board for consideration on June 6, 1994.)

Supervisor Hallinan, seconded by Supervisor Kaufman, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

Suspension of the Rules

Supervisor Hallinan, seconded by Supervisor Leal moved to suspend Rule 2.21 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to Noel Griffin, representing Mayor Frank Jordan.

No objection and motion carried.

Mr. Griffin presented a proclamation from the Mayor to Gladys Hansen.

Public Comment

Additional speakers acknowledging Ms. Hansen included: Supervisor Alioto, Supervisor Bierman, an unidentified man and Mr. Bill Cota, City Firefighter.

Supervisor Conroy requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Contribution to Housing Authority]
Resolution authorizing contribution by City and County to the Housing Authority by waiving payments in lieu of taxes for fiscal years, 1990-91, 1991-92, and 1992-93. (Supervisor Kennedy)

File 206-94-002, Resolution No.

(May 31, 1994 - Introduced in Board for consideration on June 6, 1994.)

Referred to the Budget Committee at the request of Supervisor Conroy.

Supervisor Kennedy requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Job Corps Center on Treasure Island]
Resolution of endorsement of a Memorandum of Understanding between the United States Department of Labor and the City and County of San Francisco for a Job Corps Center on Treasure Island. (Supervisors Kennedy, Shelley, Alioto)

File 244-94-002.01, Resolution No. 515-94

(May 31, 1994 - Introduced in Board for consideration on June 6, 1994.)

Supervisor Kennedy, seconded by Supervisor Hallinan, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[San Francisco City Store]
Resolution calling upon the Chief Administrative Officer to study the feasibility of establishing a San Francisco City Store that could capture new revenue through the innovative sale and recycling of surplus City merchandise, requesting a report of these findings, including possible collaboration with a non-profit agency involved in job training and development for homeless persons. (Supervisor Leal)

File 274-94-001, Resolution No. 516-94

(May 31, 1994 - Introduced in Board for consideration on June 6, 1994.)

Adopted.

[Condominium Project]
Motion approving final map of 38 Lusk Street, a condominium project being a resubdivision of Lot 27 in Assessor's Block No. 3787, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-94-7

(May 31, 1994 - Introduced in Board for consideration on June 6, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-23, Resolution No. 499-94

(J. Stanley Mattison, Vice President, Airports Commission, June 1 - 2; John E. Newlin, Executive Director, Department of Parking and Traffic, September 15 - October 2; Michael S. Strunsky, member, Airports Commission, June 2 - 15, 1994.)
Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

IMPERATIVE CALENDAR

Adopted

[Purely Commendatory Finding]
Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Kennedy, seconded by Supervisor Leal, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

Adopted

[Commending Margaret Cruz]
Resolution commending Margaret Cruz for her contributions, commitment and leadership for the Latino Community in San Francisco and in California.

File 006-94-037, Resolution No. 500-94

Supervisors Leal, Alioto, Kennedy, Maher, Bierman, Migden, Hallinan presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

[Senior Citizen Bill of Rights]
Resolution supporting the Senior Action Network (SAN), Coalition of Agencies Serving the Elderly (CASE) and the California Minority Aging Coalition's (CMAC) Senior Citizen Bill of Rights. Supervisors Kennedy, Bierman, Migden, Alioto, Hallinan, Leal, Kaufman presented. Adopted.

File 217-94-003, Resolution No. 501-94

Supervisors Kennedy, Bierman, Migden, Alioto, Hallinan, Leal, Kaufman presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 9.

Absent: Supervisors Maher, Shelley - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[General Assistance-Exempt Loans]
Ordinance amending the Administrative Code by amending Section 20.56.11 relating to exempt income under the General Assistance Program. Supervisor Alioto presented. Referred to Health, Public Safety and Environment Committee.

File 097-94-040.

[General Assistance Property Levels]
Ordinance amending the Administrative Code by amending Section 20.56.10 to increase allowable personal property under the General Assistance Program. Supervisor Alioto presented. Referred to Health, Public Safety and Environment Committee.

File 097-94-041.

[Smoking Prohibition]
Ordinance amending the Health Code by adding Article 19F, encompassing Sections 1009.20 through 1009.27, to supersede and suspend the provisions of Articles 19A, 19B, 19C and 19E and to prohibit smoking in enclosed spaces and certain sports stadiums. Supervisors Alioto, Bierman, Maher, Leal, Migden, Kennedy presented. Referred to Health/Public Safety/Environment Committee with request it be considered at June 14, 1994 meeting.

File 118-94-002.

Referred to Committee

[Reserve for Possible Grant Program Reductions]
Resolution urging the Mayor to reserve City funds in the amount of $3.3 Million to act as a bridge to the future draw down of federal or state funds anticipated in the city fiscal year 1994-95 and urging the Mayor to urge Representative Nancy Pelosi and Senators Feinstein and Boxer to seek reinstatement of the Asset Forfeiture Funds to close the gap in federal funding for San Francisco substance abuse services. Supervisors Kennedy, Alioto, Bierman presented. Referred to Budget Committee.

File 100-94-011.

[Proposition: Lease Financing for Jail]
Resolution submitting to the qualified electors of the City and County of San Francisco a proposition authorizing the City to enter into lease financing arrangements for the acquisition, construction or reconstruction of facilities to replace the existing San Bruno Jail facilities. Supervisor Maher presented. Referred to Budget Committee.

File 195-94-003.

Adopted

[Senior Citizen Bill of Rights]
Resolution supporting the Senior Action Network (SAN), Coalition of Agencies Serving the Elderly (CASE) and the California Minority Aging Coalition's (CMAC) Senior Citizen Bill of Rights. Supervisors Kennedy, Bierman, Migden, Alioto, Hallinan, Leal, Kaufman presented. Adopted.

File 217-94-003.

Referred to Board

[Report]
Report by Dr. Sandra Hernandez, Director of the Department of Public Health concerning recent changes in the Health Department and the necessity for such changes. Supervisor Kennedy presented. Referred to Board for Report on June 13, 1994 at the direction of the President.

File 30-94-13.

Requests for Hearings:

[Merger of Divisions -Department of Public Health]
Hearing to consider the merger of the Toxic, Health and Safety Services Division of the Department of Public Health into the Bureau of Environmental Health Services Administration and the elimination of the Director of Health and Safety Services position. Supervisors Shelley, Bierman, Hsieh presented. Referred to Health/Public Safety/Environment Committee

File 030-94-012.

[Bingo Parlors]
Hearing to consider requiring non-profit organizations to reside at the address of the bingo game site twelve (12) consecutive months before applying for a bingo permit and allowing no more than two bingo sessions per week at the same location. Supervisor Maher presented. Referred to Health/Public Safety/Environment Committee

File 121-94-006.

[Hunters Point Shipyard, Land Use Alternatives]
Hearing to consider land use alternatives for the Hunters Point Shipyard. Supervisor Shelley presented. Referred to Select Committee on Base Closures with request it be considered at June 7, 1994 meeting.

File 244-94-010.

Referred to Board

[Budget Analyst Report]
Motion directing the Budget Analyst to report on the fiscal impact of the City and County for retro-fitting city owned and administered public restrooms for accessibility in compliance with Title 24 of the California Code of Regulations and the Americans With Disabilities Act of 1990, and the fiscal impact of hiring attendants to monitor city owned and administered public restrooms. Supervisors Alioto, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar June 13, 1994.

File 165-94-008.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-93-123. [Appropriation, Retirement System, $2,353,059] Ordinance appropriating $2,353,059, Retirement System, for Workers Compensation of various departments and appropriating $2,353,059 for other non-personal services for fiscal year 1993-94; subject of previous budgetary denial. (Controller) Referred to Budget Committee.

File 009-94-001. [Street Acceptance, 26th St. bet Treat & Harrison] Ordinance accepting roadway, including curbs, of Twenty-Sixth Street, between Treat Avenue and Harrison Street. (Department of Public Works) Referred to Housing and Land Use Committee.

File 027-94-008. [Airport, Airline Lease/United Air Lines, Inc.] Ordinance approving the early relinquishment of Lease No. 66-0171, for Plot 1C, between United Air Lines, Inc. and the City and County of San Francisco acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 045-94-035. [Settlement of Litigation, Coming Up, Inc.] Ordinance authorizing settlement of litigation of Coming Up, Inc. and Kim Corsaro against the City and County of San Francisco. (United States District Court Case No. C92-3714) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 097-94-039. [Dept of Social Services, Cash Revolving Funds] Ordinance amending Administrative Code, by amending Sections 10.157-1 and 10.157-2 to increase the amount held in the Department of

Social Services Cash Revolving funds for AID to Families with Dependent Children and General Assistance. (Department of Social Services) Referred to Budget Committee.

Resolutions Referred to Committee

File 096-93-002.01. [Sale of Surplus Property] Resolution confirming sale of surplus City-owned property and adopting findings pursuant to City Planning Code Section 101.1. (Also see File 96-93-2) (Real Estate Department) Referred to Budget Committee.

File 146-93-057.02. [Grant - Federal, Homeless Dually Diagnosed] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for a grant up to the amount of $700,000 which includes indirect costs in the amount of $14,700 which is two percent of the grant application amount from the United States Department of Health and Human Services, Center for Mental Health Services and Center for Substance Abuse Treatment to provide evaluation of the mental health and substance abuse service referral system for the homeless dually diagnosed. (Also see Files 146-93-57 & 146-93-57.1.) (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 021-94-001. [Proposed 1994/95 Sewer Service Charge] Resolution adopting and imposing schedules of sewer service (and industrial cost recovery) charges to be paid by users for fiscal year 1994-95 pursuant to Part II, Chapter X, Articles 4.1 and 4.2, of the San Francisco Municipal Code (Public Works Code); providing for a severability clause. (Chief Administrative Officer) Scheduled for public hearing before Board on 6/27/94 at 3:00 p.m.

File 027-94-007. [AB 434 Funds for Caltrain-SFO Shuttle] Resolution authorizing the Airports Commission to seek, accept and expend funds for a Caltrain-SFO Shuttle from the Bay Area Air Quality Management District under the AB 434 Funds, California Clean Air Act Legislation, for a second year of operation; waiving indirect costs. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 30-94-011. [Managed Mental Health Care System] Resolution endorsing the Development of a Managed Mental Health Care System in San Francisco. (Department of Public Health) Referred to Health/Public Safety/Environment Committee.

File 040-94-010. [Residential Parking Area "U", South of Market] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 064-94-008. [Renewal of Lease, 1155 Market Street] Resolution authorizing a lease renewal at 1155 Market Street, for the Employees' Retirement System. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 082-94-005. [Noise Easements, Add 36/Delete 3, South S.F.] Resolution authorizing the acquisition of 36 additional noise easements and the deletion of 3 noise easements in the City of South San Francisco in their Phase VIII Program. (Airports Commission) Referred to Budget Committee.

File 096-94-002. [Disposal of Vintage Equipment at Pier 72] Resolution approving the San Francisco Municipal Railway's request to declare surplus, with the intent to turn over to the City Purchaser for disposal, up to 37 Presidents' Conference Cars, otherwise known as PCCs, 4 California type Cable Cars, and 6 Obsolete Motor Coaches, through the Public Utilities Commission Resolution No. 94-0034. (See File 7-88-4, Ordinance No. 398-88) (Municipal Railway) Referred to Budget Committee.

File 146-94-011. [Grant - State, Emergency Medical Services] Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for retroactively and, accept and expend a grant of $75,000, which includes indirect costs in the amount of $7,240, based on twenty five percent of personnel costs from the State Emergency Medical Services Authority, to provide for the continuing development of the Emergency Medical Services Agency Data Linkage Project, providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-94-012. [Grant - State/Federal] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for retroactively, accept and expend a grant for $902,778, which excludes indirect costs, from the United States Department of Housing and Urban Development for supportive services and housing to mentally disabled clients; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 148-94-004. [Grant - Federal, Embarcadero Roadway Project] Resolution authorizing the Director of Public Works to apply for, accept and expend Federal funds of up to $14,752,000 from the Federal Highway Administration, waiving indirect costs, for construction of The Embarcadero Roadway Project. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 161-94-003. [Redevelopment Agency Budget for 1994/95] Resolution approving an interim budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1994-95. (Redevelopment Agency) Referred to Budget Committee.

File 161-94-004. [Redevelopment Agency Budget and Bonds] Resolution approving the budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1994-95; and approving the issuance by the Agency of bonds in an aggregate principal amount not to exceed $27,000,000 for the purpose of financing redevelopment activities in fiscal year 1994-95. (Redevelopment Agency) Referred to Budget Committee.

File 168-94-004. [Open Space Acquisition, Assessor's Blk 5556/Lot 56] Resolution authorizing Purchase Agreement for acquisition of real property located in Bernal Heights generally described as a portion of the Bernal Heights Community Garden, identified as City and County of San Francisco Assessor's Block 5556, Lot 56 for open space purposes and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department) Referred to Budget Committee.

File 303-94-001. [Property Tax Allocation, Teeter Plan] Resolution implementing Teeter Plan Property Tax Allocation provisions. Setting the Tax Loss Reserve Fund at Fifty Percent of the total delinquent secured taxes as governed by the Revenue and Taxation Code Section 4703.2. (Controller) Referred to Budget Committee with request it be considered at the June 15, 1994 meeting.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests: By Supervisor Bierman, that letter of inquiry be sent to Director, Port of San Francisco to determine how much rent will be collected by the Port from Pier 39 for the Seaplane Tours trial period.

By Supervisors Bierman, Conroy, that letter of inquiry be sent to the Landmarks Preservation Advisory Commission urging consideration of the designation of Balboa High School as a Historical Landmark.

By Supervisor Kennedy, that letter of inquiry be sent to Director of City Planning, regarding the status of the Third Baptist Alternative Program located at 1341 McAllister to inquire why the program has been delayed, if the cancelled zoning meeting scheduled for May 18, 1994 will be rescheduled, and why the Thurgood Marshall Alternative Program moved from San Francisco to Oakland.

By Supervisor Kennedy, that letter of inquiry be sent to the Director, Department of Parking and Traffic regarding the waiving of the fee for Police security costs for the Juneteenth Street Fair.

By Supervisor Kennedy, that letter of inquiry be sent to the Chief of Police regarding a detailed report setting forth the Police Department costs associated with the Juneteenth Street Fair.

By Supervisor Kennedy, that letter be sent to Dr. Sandra Hernandez, Director of the Department of Public Health requesting her appearance before the Board of Supervisors on June 13, 1994 to explain the changes taking place in the Health Department and why such changes are necessary.

By Supervisor Maher, that City Attorney prepare legislation requiring non-profit organizations to reside at the address of the bingo game site twelve (12) consecutive months before applying for a bingo permit and allowing no more than two bingo sessions per week at the same location. File 121-94-6.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Of the brave men and women who lost their lives during the D-Day invasion	Entire Board
John R. McCarthy	Entire Board
Glenn Nelson-Sterman	Supervisors Leal, Migden
Fred Yee	Supervisor Bierman
James Jimbo Renner, Jr.	Supervisor Hallinan
Dennis Ball	Supervisor Kennedy
Mildred Chappell	Supervisor Kennedy
Thomas Crowe	Supervisor Conroy
Vincent Friic	Supervisors Migden, Leal

File 2-94-23

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:15 p.m. adjourned.

Monday, June 6, 1994

Jean C. Lum, Acting Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 27, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, June 13, 1994

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 13, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:14 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Noted absent at first roll call:

Supervisors Conroy, Kennedy, Maher, Shelley - 4.

Quorum present.

Supervisor Kennedy excused. (See infra.)

Supervisor Maher was noted present at 2:22 p.m.

Supervisor Shelley was noted present at 2:19 p.m.

Supervisor Kennedy Excused

The Clerk stated Supervisor Kennedy requested to be excused from attending today's meeting.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to excuse Supervisor Kennedy.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Absent: Supervisors Conroy, Kennedy, Maher, Shelley - 4.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, DPW]
Ordinance appropriating and rescinding $650,000, Department of Public Works, from various capital projects and the Recreation and Park Special Revenue Fund for the completion of Candlestick Park Capital Project for fiscal year 1993-94; providing for ratification of action previously taken. (Supervisor Alioto)

File 101-93-117, Ordinance No. 239-94

(Fiscal Impact.)

Finally passed.

[Parking Revenue Fund]
Ordinance amending Traffic Code relating to the establishment, purpose and use of a Parking Revenue Fund. (Supervisor Hsieh)

File 124-94-6.2, Ordinance No. 241-94

(Amends Section 213.)

Finally passed.

[Appropriation, Sheriff Department, $202,500]
Ordinance appropriating $202,500, Sheriff Department of Jail Overcrowding Fine Revenue to fund a Pretrial Diversion Program to reduce jail overcrowding for fiscal year 1993-94; placing $202,500 on reserve. (Supervisor Alioto)

File 101-93-120, Ordinance No. 240-94

Finally passed.

Passed for Second Reading

[Appropriation, Hetch Hetchy, $4,000,000]
Ordinance appropriating $4,000,000, Hetch Hetchy, for the purchase of power and rescinding various capital improvement projects for fiscal year 1993-94. (Supervisor Alioto)

File 101-93-122, Ordinance No.

Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Benjamin S. Chavez]
Ordinance authorizing settlement of litigation of Benjamin S. Chavez against the City and County, by payment of $32,418.55. (City Attorney)

File 45-94-26, Ordinance No.

(Superior Court No. 948-706)

Passed for second reading.

[Settlement of Litigation, O'Brien Mechanical]
Ordinance authorizing settlement of litigation of O'Brien Mechanical v. City and County, by payment of $437,205.69. (City Attorney)

File 45-94-29, Ordinance No.

(Superior Court No. 947-060)

Passed for second reading.

[Dismissal Litigation, CCSF v. Peter Bullock]
Ordinance authorizing dismissal without prejudice of litigation of City and County v. Peter Bullock. (City Attorney)

File 46-94-7, Ordinance No.

(Superior Court No. 898-704)

Passed for second reading.

Adopted

[Acceptance of Gift, Friends of Recreation and Parks]
Resolution accepting a gift valued at $9,000 from Friends of Recreation and Parks for use by the Recreation and Park Department. (Recreation and Park Department)

File 38-94-6, Resolution No. 527-94

Adopted.

[Settlement of Claim, Ann Schoner Williams]
Resolution approving the settlement of the unlitigated claim of Ann Schoner Williams in the sum of $10,000. (City Attorney)

File 48-94-9, Resolution No. 528-94

Adopted.

[Contract Award Extension]
Resolution granting extension of time for awarding Municipal Railway Contract No. 1101R2, Muni Metro System, Market Street Track Replacement, Phase 4 - Eleventh Street to Duboce Avenue. (Public Utilities Commission)

File 61-94-3, Resolution No. 529-94

Adopted.

[1993-94 Muni Operations Claim to MTC]
Resolution authorizing the PUC to apply for, accept and expend $204,051 of Transportation Development Act (TDA) Article 3 Funds for 1993-94 operations. (Public Utilities Commission)

File 94-94-2, Resolution No. 530-94

Adopted.

Recommendations of Housing and Land Use Committee

Adopted

[Stop Signs, Establish, Various Locations]
Resolution designating certain intersections as "Stop" intersections. (Housing and Land Use Committee)

File 18-94-8, Resolution No. 523-94

(Stop Signs - Establish

Amazon and Moscow Streets, southwest corner, stopping Amazon Street traffic (presently uncontrolled, stops the stem of this T-intersection.)

Virginia Avenue and Winfield Street, southwest and northeast corners, stopping Virginia Avenue traffic (makes this an all-way Stop).

Buchanan and Green Streets, northeast and southwest corners, stopping Green Street traffic (makes this an all-way Stop).

Van Dyke Avenue and Ingalls Street, northwest and southeast corners, stopping Ingalls Street traffic (makes this an all-way Stop).

Anderson and Eugenia Streets, southeast corner, stopping Anderson Street traffic (makes this an all-way Stop).)

Adopted.

[Parking Regulations, Establish, Harlow Street]
Resolution enacting "Tow-Away, No Parking Anytime" regulation on Harlow Street. (Housing and Land Use Committee)

File 19-94-7, Resolution No. 524-94

(Tow-Away, No Parking Anytime - Establish

Harlow Street, east side, between Sixteenth Street and south terminus, including dead-end portion.)

Adopted.

[Traffic Regulations, Various Locations]
Resolution enacting and rescinding traffic regulations, various locations. (Housing and Land Use Committee)

File 20-94-8, Resolution No. 525-94

(Yield Sign - Establish

Eucalyptus Drive and Ocean Avenue, southwest corner facing eastbound Eucalyptus Drive (presently uncontrolled, requires Eucalyptus Drive to yield to Ocean Avenue traffic.)

Tow-Away, No Stopping, 3 p.m. - 7 p.m., Monday Through Friday - Establish

Bush Street, south side, between Sansome and Battery Streets.

Tow-Away Lane Must Turn Right, Except Buses - Establish

Bush Street, eastbound, at Battery Street.

Tow-Away, No Stopping, 3 p.m. - 6 p.m., Monday Through Friday - Rescind
Tow-Away, No Stopping, 3 p.m. - 7 p.m., Monday Through Friday - Establish

First Street, west side, between Market and Howard Streets.

Tow-Away Lane Must Turn Right - Rescind
Tow-Away Lane Must Turn Right, Except Buses - Establish

First Street, southbound, at Mission Street.

Tow-Away, No Stopping, 3 p.m. - 6 p.m., Monday Through Friday - Rescind

Battery Street, both sides, between Pine and Bush Streets.

Tow-Away, No Stopping, 7 a.m. - 9 a.m. and 3 p.m. - 7 p.m., Monday Through Friday - Establish

Battery Street, east side, between Pine and Bush Streets.

Tow-Away, No Stopping, 3 p.m. - 7 p.m., Monday Through Friday - Establish

Battery Street, west side, between Pine and Bush Streets.

Tow-Away, No Stopping Anytime - Revoke

Stevenson Street, south side, from 59 feet to 99 feet west of First Street (40-foot zone).

Tow-Away, No Stopping Anytime - Establish

Harrison Street, north side, from Fourth Street to 175 feet easterly.

No U-Turn - Establish

Guerrero Street, northbound and southbound, at Twentieth Street.)

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Absent: Supervisors Conroy, Kennedy, Maher, Shelley - 4.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Curb Painting Fees]
Ordinance amending Part III of the Municipal Code (Revenue and Finance/Business Regulations), to increase the fees for the renewal painting of white and green zones from $70 to $125 and to change the

name from Department of Public Works to the Department of Parking and Traffic. (Supervisors Alioto, Bierman)

File 127-94-6, Ordinance No.

(Fiscal Impact.)

(Amends Section 129.5.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Absent: Supervisors Conroy, Kennedy, Maher, Shelley - 4.

Adopted

[Bonds, City Hall Non-Seismic Improvements]
Resolution determining and declaring that the public interest and necessity demand the construction or completion by the City and County of San Francisco of the following municipal improvements, to wit: construction and reconstruction of certain improvements to City Hall, including life safety improvements, providing disabled access, historic preservation, electrical power and systems upgrade, functional space conversions and provision of a childcare facility, including related acquisition, construction and reconstruction necessary or convenient for the foregoing purpose, that the estimated cost of Thirty-eight Million Three Hundred Fifty Thousand Dollars ($38,350,000) for said Municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Hsieh, Alioto, Bierman)

File 170-94-9, Resolution No. 533-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2

Adopted as Amended

[General Obligation Bond, Asian Art Museum]
Resolution determining and declaring that the public interest and necessity demand the construction or completion by the City and County of the following municipal improvements, to wit: construction and reconstruction of certain improvements to the Old Main Library for the purpose of making public safety improvements thereto and relocating the Asian Art Museum to such location, including seismic upgrading, asbestos abatement, providing access for the disabled, historic preservation and other building code-required improvements, that the estimated cost of ((Forty-One Million Seven Hundred Twenty-Nine Thousand and Seven Hundred Dollars ($41,729,700))) <u>Forty-One Million Seven Hundred Thirty Thousand Dollars ($41,730,000)</u> for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Shelley, Alioto, Hsieh, Bierman, Leal, Migden)

File 170-94-10, Resolution No. 534-94

(Fiscal Impact.)

Supervisor Shelley, seconded by Supervisor Hallinan, moved to amend title by changing "$41,729,700" to "$41,730,000" and wherever it appears in the text.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2

In connection with the above item, Supervisors Leal, Migden requested to be added as co-sponsors.

[General Obligation Bond-San Bruno Jail Facility]
Resolution determining and declaring the public interest and necessity demand the acquisition, construction or reconstruction by the City and County of the following municipal improvement, to wit: acquisition, construction and/or reconstruction of county correctional facilities, including replacement housing, administrative buildings, health clinics, training range, special housing units, health and safety improvements and renovation of certain improvements, that the estimated cost of ((One Hundred Ninety Five Million Five Hundred Ninety-Eight Thousand Dollars ($195,598,000))) One Hundred Ninety Five Million Five Hundred Ninety-Eight Thousand Dollars ($195,600,000) for said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of said City and County and will require the incurring of a bonded indebtedness. (Supervisors Maher, Alioto, Bierman, Hsieh, Shelley, Migden)

File 170-94-11, Resolution No. 535-94

(Fiscal Impact.)

Supervisor Maher, seconded by Supervisor Kaufman, moved to amend title by changing "$195,598,000" to "$195,600,000" and wherever it appears in the text.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2

In connection with the above item, Supervisors Shelley, Migden requested to be added as co-sponsors.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airports Commission, Concession Lease]
Ordinance approving the "Lease for Duty Free/In-Bond Merchandise Sales" between DFS Group L.P. and the City and County, acting by through its Airports Commission. (Airports Commission)

File 27-94-6, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Absent: Supervisors Conroy, Kennedy, Maher, Shelley - 4.

[Port, Lease with Capital Cities, ABC, Inc.]
Ordinance approving lease agreement between Capital Cities, ABC, Inc. and the City and County, operating by and through the Port Commission for Seawall Lots 344 and 352, located south of Islais Creek at the end of Amador Street. (Port)

File 65-94-10, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Absent: Supervisors Conroy, Kennedy, Maher, Shelley - 4.

Consideration Continued

[Local Hiring - Contract Procedure]
Ordinance amending the Administrative Code (Contract Procedure), requiring that all City construction contracts include a provision requiring prime contractors to make good faith efforts to hire San Francisco residents to comprise no less than 50% of their total construction work force. (Supervisors Hallinan, Alioto, Kennedy, Kaufman, Leal, Migden)

File 97-94-25, Ordinance No.

(Adds Section 6.56.)

Supervisor Hallinan, seconded by Supervisor Shelley, moved to continue consideration to June 20, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Kennedy, Maher - 3.

Adopted

[Contract Out, Laundry Processing Services]
Resolution concurring with Controller's certification that laundry processing services can be practically performed for the Department of Public Health, San Francisco General Hospital, by private contractor for a lower cost than similar work services performed by City and County employees. (Department of Public Health)

File 25-94-15, Resolution No. 526-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Kennedy, Maher - 3.

[Food Stamp Trafficking Task Force]
Resolution authorizing the District Attorney to apply for, retroactively, accept and expend funds up to the amount of $1,588,677 from the State of California Department of Social Services, which include indirect costs of $107,857, with the program being 100% funded by the State of California to conduct investigation of food stamp trafficking through an inter-county taskforce. (District Attorney)

File 138-94-5, Resolution No. 531-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2

[Compensation Reform, City Employee]
Resolution urging the Mayor to urge the Department of Human Resources to conduct a comprehensive classification study and to work with labor organizations, city commissions and city departments in developing the study. (Supervisors Kaufman, Leal)

File 221-94-4, Resolution No. 536-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2

[Compensatory Time Off/Overtime Pay Accounting]
Resolution urging the Human Resources Department and urging the Controller to develop centralized, citywide standards for use, accrual and record keeping relating to compensatory time off and overtime pay. (Supervisors Leal, Kaufman, Migden, Kennedy, Alioto, Shelley)

File 251-94-3, Resolution No. 537-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

Recommendation of Housing and Land Use Committee

Adopted

[Street Artists]
Resolution redesignating for six months two selling spaces on Beach Street, northwest corner, at Hyde Street, for street artists certified by the Art Commission, pursuant to Board of Supervisors Resolution No. 940-91. (Supervisors Hallinan Alioto, Bierman)

File 169-94-1, Resolution No. 532-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2

In connection with the above item, Supervisors Alioto, Bierman requested to be added as co-sponsors.

From the President

Tabled

[Department of Public Health Report]
Report from Dr. Sandra Hernandez, Director of the Department of Public Health concerning recent changes in the Health Department and the necessity for such changes. (Supervisor Kennedy)

File 30-94-13

Supervisor Bierman, seconded by Supervisor Maher, moved to table.

Motion to table adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2

Conference with City Attorney -- Litigation

Adopted

Motion that the Board of Supervisors convene in closed session with Deputy City Attorneys, Linda Ross and Mathew Davis, for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation of Coming Up, Inc. and Kim Corsaro v. City and County of San Francisco, U.S. District Court No. C92-3714, as authorized by California Government Code Section 54956.9(a).

Supervisor Hallinan, seconded by Supervisor Kaufman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Migden, Shelley - 7.

Absent: Supervisors Conroy, Kennedy, Leal, Maher - 4.

Recess

The Board recessed at the hour of 3:48 p.m. to convene in closed session.

Reconvening of the Board

The Board, at the hour of 4:11 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Noted absent:

Supervisors Conroy, Kennedy, Maher, Shelley - 4.

Quorum present.

Supervisor Conroy excused. (See supra.)

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with Deputy City Attorneys, Linda Ross and Buck Delventhal, for the purpose of conferring or receiving advice from the City Attorney regarding pending litigation of Coming Up, Inc. and Kim Corsaro v. City and County of San Francisco, U.S. District Court No. C92-3714, as authorized by California Government Code Section 54956.9(a).

The Clerk stated that the Board took no action in closed session.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending litigation.

Supervisor Hallinan, seconded by Supervisor Bierman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Absent: Supervisors Conroy, Kennedy, Maher, Shelley - 4.

SPECIAL ORDER 3:00 P.M.

Consideration Continued

[Public Hearing]
Hearing appealing decision of the City Planning Commission by its Motion No. 13672, dated April 21, 1994, approving Conditional Use Application No. 93.271C, for conditional use authorization to create two new lots with less than 25 feet of width in an RH-1 (House, One-Family) District and a 40-X Height and Bulk District of property located at 8028 Geary Boulevard.

File 37-94-4

(Categorically exempt from Environmental Review Status.)

(Filed May 23, 1994.)

The Clerk announced that communication has been received from the property owner, with the concurrence of the appellant, requesting that this matter be continued to July 11, 1994.

Supervisor Maher, seconded by Supervisor Hallinan, moved to continue consideration to July 11, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Kennedy, Maher - 3.

(Only one of the following two motions should be adopted.)

[Zoning Appeal]
Motion approving decision of the City Planning Commission by its Motion No. 13672, approving Conditional Use Application No. 93.271C, of property located at 8028 Geary Boulevard, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-94-4.1

Supervisor Maher, seconded by Supervisor Hallinan, moved to continue consideration to July 11, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Kennedy, Maher - 3.

[Zoning Appeal]
Motion disapproving decision of the City Planning Commission by its Motion No. 13672, approving Conditional Use Application No. 93.271C, of property located at 8028 Geary Boulevard, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-94-4.2

Supervisor Maher, seconded by Supervisor Hallinan, moved to continue consideration to July 11, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Kennedy, Maher - 3.

[Findings]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 93.271C of property located at 8028 Geary Boulevard, for action by the Board at its next meeting.

File 37-94-4.3

Supervisor Maher, seconded Supervisor Hallinan, moved to continue consideration to July 11, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Kennedy, Maher - 3.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Raymond J. Thompkins, water contamination at Geneva Towers;
Louise Vaughn, water contamination at Geneva Towers;
F. Sayon Jackson, water contamination at Geneva Towers;
Margaret Verges, water contamination at Geneva Towers;
Female speaker, custody of son.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Condominium Project]
Motion approving final map of 1970 Sacramento Street, a Condominium Project, being a resubdivision of Lot 7 in Assessor's Block 624; and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-94-8

(June 6, 1994 - Introduced in Board for consideration on June 13, 1994.)

Adopted.

[Budget Analyst Report]
Motion directing the Budget Analyst to report on the fiscal impact of the City and County for retro-fitting city owned and administered public restrooms for accessibility in compliance with Title 24 of the California Code of Regulations and the Americans With Disabilities Act of 1990, and the fiscal impact of hiring attendants to monitor city owned and administered public restrooms. (Supervisors Alioto, Bierman)

File 165-94-008

(June 6, 1994 - Introduced in Board for consideration on June 13, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Shelley - 6.

Absent: Supervisors Conroy, Kennedy, Leal, Maher, Migden - 5.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-24, Resolution No. 517-94

(Mayor Frank M. Jordan, June 9 - 14; Lucille Abrahamson, member, Human Rights Commission, July 12 - August 6; Mary I. Callanan, Treasurer, July 7 - 20; Edwin M. Lee, Director, Human Rights Commission, June 16 - 20; Anthony D. Ribera, Chief of Police, June 9 - June 14; Doris M. Ward, Assessor, June 10 - 18, 1994.)

Adopted.

[Needle Exchange]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 30-94-1.11

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Absent: Supervisors Conroy, Kennedy, Maher - 3

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Called from Committee

[Permit Advertising on Public Service Kiosks]
Ordinance amending Planning Code by amending Sections 603, 605 and 608 to permit advertising on public service kiosks associated with public toilets and adopting findings pursuant to City Planning Code Section 101.1.

File 115-93-008.

Called from Budget Committee by Supervisor Alioto with direction to schedule for Board meeting of June 20, 1994.

Committee of the Whole

Motion Adopted

At the request of Supervisor Alioto, Supervisor Hallinan, seconded by Supervisor Maher, moved that the Board consider the above item concerning public service kiosks and the public toilet matters (see infra) as a Committee of the Whole.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisors Bierman, Conroy, Kennedy - 3.

Referred to Committee

[General Assistance]
Draft ordinance amending Administrative Code by amending Sections 20.56.10 and 20.57 relating to general assistance program's allowable personal property and income disregard. Supervisors Migden, Alioto presented. Referred to Budget Committee.

File 097-94-041.01.

[Supportive Housing Service Fund]
Ordinance amending Administrative Code by adding Section 10.117-113 to establish a Supportive Housing Service Fund. Supervisors Bierman, Alioto, Hsieh presented. Referred to Budget Committee.

File 097-94-042.

[Advertising RH-1D District]
Substitute ordinance amending City Planning Code by amending Section 603, to permit advertising in an RH-1D District adjacent to a C-2 District, provided that such advertising faces a C-2 District and adopting findings pursuant to City Planning Code Section 101.1. Supervisor Kaufman presented. Referred to Housing and Land Use Committee.

File 115-94-003.

[Single Room Occupancy Living Units]
Substitute ordinance amending City Planning Code by amending existing Sections 134, 135, 140, 151, 207.5, 208, 209.2, 813 through 818 and 890.88; to define single room occupancy living units and provide density rear yard, usable open spaces, dwelling unit exposure and parking regulations for them in the South of Market base district, to correct provisions of the rear year requirements inadvertently changed in a previous ordinance and finding that the legislation is consistent with the priority policies of City Planning Code Section 101.1. Supervisor Kaufman presented. Referred to Housing and Land Use Committee.

File 115-94-008.

[Firearms and Ammunition Business Tax]
Ordinance amending Part III, Municipal Code, by amending Section 905-A of Article 12A and Sections 1003, 1004.17, 1004.18 and 1005.3 of Article 12-B to make technical changes and to change the effective date of recent changes affecting businesses selling firearms and ammunition from January 1, 1994 to January 1, 1995. Supervisor Migden presented. Referred to Budget Committee.

File 127-94-001.01.

[Payroll/Gross Receipts Tax]
Ordinance amending Part III, Municipal Code, by amending Section 903.1 to increase the tax rate for businesses with total payroll expenses in excess of $166,667 to 1.6 percent for 1994 and adding Section 1004.19 to increase 1994 business tax rates on gross receipts by a comparable percentage. Supervisor Hallinan presented. Referred to Budget Committee.

File 127-94-003.

Called from Committee

[Automatic Public Toilet Program]
Resolution authorizing the Director of Public Works to enter into an agreement with JCDecaux United Street Furniture, Inc., to provide for the placement of automatic public toilets on public property in San Francisco in exchange for the right to place public service kiosks on public property and to sell advertising on said kiosks.

File 115-93-008.01.

Called from Budget Committee by Supervisor Alioto; scheduled for public hearing by a Committee of the Whole on June 20, 1994. (See supra.)

[Final Negative Declaration, Public Toilets]
Resolution adopting Final Negative Declaration, findings and determining that the amendment of Planning Code Sections 603, 605 and 608 to permit advertising on public service kiosks associated with public toilets, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration.

File 115-93-008.02.

Called from Budget Committee by Supervisor Alioto; scheduled for public hearing by a Committee of the Whole on June 20, 1994. (See supra.)

Referred to Board

[Proclaim, Taxicab Drivers Appreciation Week]
Resolution designating June 20-24, 1994 "Taxicab Drivers Appreciation Week". Supervisors Hallinan, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 20, 1994.

File 004-94-016.

Referred to Committee

[MUNI Riders Bill of Rights]
Resolution urging the Mayor to direct the new Transportation Commission to establish, as a top priority, commitment to MUNI service quality including development of a MUNI Riders Bill of Rights and renewed commitment to the Transit First Policy. Supervisor Leal presented. Referred to Health/Public Safety/Environment Committee.

File 007-94-008.

[Gift Acceptance, Grave Sites]
Resolution accepting gift from Skylawn Memorial Park of 64 grave sites, and related services, valued in an amount in excess of $217,000 and thanking Skylawn Memorial Park for its gift. Supervisor Migden presented. Referred to Budget Committee.

File 038-94-008.

[Gift Acceptance, Burial Vaults]
Resolution accepting gift from Christy Vault Company of 45 burial vaults, valued in an amount in excess of $10,000 and thanking Christy Vault Company for its gift. Supervisor Migden presented. Referred to Budget Committee.

File 038-94-009.

[Gift Acceptance, Burial Caskets]

Resolution accepting gift from McAvoy O'Hara Company and Evergreen Mortuary of ten burial caskets and related services, valued in an amount in excess of $10,000 and thanking McAvoy O'Hara Company and Evergreen Mortuary for their gift. Supervisor Migden presented. Referred to Budget Committee.

File 038-94-010.

Referred to Board

[Budget]
Resolution urging the Mayor to submit a balanced budget. Supervisors Hsieh, Migden, Alioto, Bierman, Kaufman, Shelley, Hallinan, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar June 20, 1994.

File 100-94-001.02.

Referred to Committee

[Fire Department Headquarters/Pump Station]
Resolution approving plan to reallocate $2.27 million from the 1992 Fire Improvement Bond (Proposition C) in order to complete the Combined Fire Department Headquarters/Pump Station. Supervisors Conroy, Alioto presented. Referred to Budget Committee.

File 170-94-013.

Referred to Board

[Angel Island/Red Rock Minor Boundary Change]
Resolution setting July 11, 1994 as the hearing date for all persons interested in a proposal by the County of Marin to change the boundary lines of the City and County of San Francisco to remove certain portions of Angel Island known as East Garrison and Point Blunt from the City and County and place all of Angel Island within Marin County and to make minor technical changes in said boundary lines at Red Rock and to place all of Red Rock in San Francisco and Contra Costa counties. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 20, 1994.

File 199-94-002.

Referred to Committee

[Ballot Measure, Structure of Government]
Draft charter amendment (Second Draft) amending Sections 2.202, 3.519 and 9.102 relating to the method of selecting the president of the board of supervisors and amending the tenure and appointment of the registrar of voters. Supervisor Kaufman presented. Referred to Rules Committee.

File 258-94-001.

[Ballot Measure, Senior Executive Management Corps]
Charter amendment (Second Draft) adding Section 8.400-2 relating to wages, hours and terms and conditions of employment for a Senior Executive Management Corps. Supervisor Kaufman presented. Referred to Rules Committee.

File 259-94-001.

[Ballot Measure, Early Service Retirement]
Charter amendment (Second Draft) adding Section 8.517-3 relating to early retirement benefits. Supervisor Kaufman presented. Referred to Rules Committee.

File 260-94-001.

[Ballot Measure, New Charter]
Draft charter amendment (Second Draft) to repeal the 1932 Charter and to enact a new Charter. Supervisors Kaufman, Leal, Migden, Kennedy, Hsieh, Shelley, Alioto, Maher presented. Referred to Rules Committee.

File 261-94-001.

[Ballot Measure, Procedural Charter Sections]
Charter amendment (Second Draft) to eliminate technical, procedural and obsolete language by transferring to the Administrative Code Sections 3.302, 3.304, 6.201, 6.302, 6.309, 6.310, 7.205, 7.602 , 7.603, 7.604, 7.605, 7.606, 7.702, 8.101, 8.410 and 8.411; repealing Sections 3.643, 6.412, 8.408, 8.512, 8.517-2, 8.518 and 8.541 and amending Sections 2.100, 3.100, 3.300, 3.400, 3.401, 3.402, 3.403,

3.404, 3.405, 3.510, 3.534, 3.580 and 3.630. Supervisor Bierman presented. Referred to Rules Committee.

File 264-94-001.

[Ballot Measure, Youth Commission]
Charter amendment (Second Draft) to add Section 3.720 to establish a youth commission. Supervisor Alioto presented. Referred to Rules Committee.

File 271-94-001.

Requests for Hearings:

[MUNI Service Quality and Management Efficiency]
Hearing on implementation of the new Transportation Commission in terms of improving MUNI service quality and management efficiency. Supervisor Leal presented. Referred to Housing/Land Use Committee.

File 007-94-009.

[MUNI Capital Improvement Projects]
Hearing to consider the Transportation Commission's implementation of several major MUNI capital improvement projects over the coming decade and how these projects will improve service and when. Supervisor Leal presented. Referred to Housing/Land Use Committee.

File 007-94-010.

[MUNI Castro Shuttle Service]
Hearing to consider feasibility of establishing a MUNI Castro shuttle, whereby MUNI would operate limited service between the Embarcadero Station and Castro Station. Supervisor Leal presented. Referred to Housing/Land Use Committee.

File 007-94-011.

[Central Freeway Alternatives Plan Study]
Hearing to consider the Central Freeway Alternatives Study. Supervisor Bierman presented with request it be considered at the June 16, 1994 meeting. Referred to Housing/Land Use Committee.

File 085-94-003.

[Traffic Regulations Procedures]
Hearing to consider establishing policy to not enact any present or future traffic regulations unless each member, or at least one member, of the Housing and Land Use Committee, personally visit any location to be so changed, for observation and/or study and that the Department of Parking and Traffic post any proposed traffic regulation changes at the affected location utility poles (minimum 2) for at least two weeks prior to the committee hearing for approval, and that the public be made further aware of proposed location changes by listing the individual sites in the newspaper section for public notices. Supervisor Maher presented. Referred to Housing/Land Use Committee.

File 097-94-043.

[Increase Penalty Fee for Towed Cars]
Hearing to consider proposed proposal to increase the penalty fee for a towed car from $110 to $120. Supervisor Kennedy presented. Referred to Budget Committee.

File 190-94-003.

[Historic Street Lights, Alamo Square]
Hearing to consider the removal of the historic street lights on the Alamo Square Historic District. Supervisors Bierman, Shelley, Alioto presented. Referred to Housing and Land Use Committee.

File 191-94-002.

[Police Raids, South of Market District]
Hearing to consider the recent Police Department raids and policies on nighttime establishments in the South of Market District. Supervisors Hallinan, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 207-94-010.

[Audit by Budget Analyst on Water Department]
Hearing to discuss the findings of the Budget Analyst on the Water Department. Supervisor Conroy presented. Referred to Government Efficiency/Labor Committee.

File 165-93-004.01.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-93-124. [Appropriation, CAO, $222,000] Ordinance appropriating $222,000 Chief Administrative Officer, of seismic safety loan funds for bond issuance costs (legal and consulting services) related to the Seismic Safety Loan Program for fiscal year 1993-94. RO #93326 (Controller) Referred to Budget Committee.

File 102-93-035. [ASO, Police/Sr. Escort Prog/Restore 23 Positions] Ordinance amending Annual Salary Ordinance, 1993-94, Police Department, Senior Escort Program, reflecting the restoration of twenty-three positions; companion measure to File 101-93-121. (Department of Human Resources) Referred to Budget Committee.

Resolutions Referred to Committee

File 172-93-004.02. [Family Mosaic Medi-Cal Capitation Contract Renewal] Resolution authorizing the Department of Health to renew a contract with the State Department of Health Services to continue a Medicaid/Mental Health Delivery System. (Also see Files 172-93-4, 172-93-4.1) Referred to Government Efficiency/Labor Committee.

File 025-94-020. [Contract Out, Security Guard Services] Resolution concurring with the Controller's certification that security services can be practically performed by private contractor for lower costs than similar services performed by City and County employees. (Purchasing Department) Referred to Government Efficiency/Labor Committee.

File 030-94-014. [Amendment, Adult Day Health Care Plan] Resolution authorizing approval of an amendment to the San Francisco County Adult Day Health Care Plan. (Adult Day Health Planning Council) Scheduled for public hearing before Board on Tuesday, July 5, 1994, at 3:00 p.m.

File 047-94-007. [Sutter-Stockton Garage Rate Change] Resolution approving the elimination of the Early Bird Rate at the Sutter-Stockton Garage. (Department of Parking and Traffic) Referred to Budget Committee.

File 048-94-012. [Settlement of Claim, Aviva St.] Resolution approving the settlement of the unlitigated claim of Aviva St. by payment of $16,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-94-009. [Amendment/Extension of Lease, 1975-99 Bryant St.] Resolution authorizing an amendment and extension of an existing lease of real property at 1975-1999 Bryant Street, for the Department of Parking and Traffic. (Department of Parking and Traffic) Referred to Government Efficiency/Labor Committee.

File 084-94-001. [Property Acquisition, Portions of Route 480] Resolution approving and authorizing a Memorandum of Agreement with the State of California for acquisition of certain portions of Route 480 known as the Broadway and Clay/Washington parcels and other interests (including certain waivers and indemnities of the State contained in such Agreement), approving and authorizing future agreements with the State for other portions of Route 480, and adopting findings that all such acquisitions are consistent with the City's Master Plan and Eight Priority Policies of City Planning Code Section 101.1. (Real Estate Department) Referred to Budget Committee.

File 146-94-013. [Grant - March of Dimes] Resolution authorizing the Department of Public Health, Children's Unit, to apply for retroactively, and accept and expend a grant of $2,200, from the March of Dimes, to improve health outcomes to failure to thrive children in San Francisco; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that letter be sent to Executive Director, Department of Parking and Traffic, and the Interdepartmental Staff Committee on Traffic and Transportation urging them to consider extending the street closure for the Juneteenth Festival on June 18-19, 1994, from Fillmore Street, between Fulton Street and Golden Gate Avenue, to include Turk and Eddy Streets.

By Supervisor Kennedy, that City Attorney prepare legislation that would urge the Recreation and Park Commission to allow children ages to 15 years in the Bayview Hunters Point area to use the Martin Luther King Pool at Carroll and Bayshore Streets at no cost and that the pool remain open seven days a week year round.

By Supervisor Conroy, that City Attorney prepare legislation to require as part of the annual budget process, Department heads report on the allocation of service dollars by gender, identifying disparities and develop a plan to implement equal access for services to young women and men by May 1, 1995.

By Supervisor Migden, that City Attorney advise whether the Mayor has the responsibility to balance the budget in light of passage of Proposition E, Library funding charter amendment.

By Supervisor Maher, that letter of inquiry be sent to Director, Department of Parking and Traffic, concerning alleged retaliatory measures if department employees attend public meetings and/or testify on proposed legislation to return the functions of the Department of Parking and Traffic back to the San Francisco Police Department and stressing the Board encourages public participation at its meetings which extends to city employees who are there on their own behalf and not on City time.

By Supervisor Maher, that City Attorney prepare ordinance which would establish policy to not enact any present or future traffic regulations unless each member, or at least one member, of the Housing and Land Use Committee, personally visit any location to be so changed, for observation and/or study and that the Department of Parking and Traffic post any proposed traffic regulation changes at the affected location utility poles (minimum 2) for at least two weeks prior to the committee hearing for approval, and that the public be made further aware of proposed location changes by listing the individual sites in the newspaper section for public notices.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Lawrence Wilson (Supervisors Leal, Bierman, Migden, Hallinan)
Larry W. Nile (Supervisor Leal)

File 2-94-24

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:13 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 11, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, June 20, 1994

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The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 89 Number 25

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 20, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hsieh, Leal, Maher, Shelley - 6.

Noted absent at first roll call:

Supervisors Conroy, Hallinan, Kaufman, Kennedy, Migden - 5.

Quorum present.

Supervisor Conroy was noted present at 2:15 p.m.

Supervisor Hallinan was noted present at 2:14 p.m.

Supervisor Kaufman was noted present at 2:13 p.m.

Supervisor Kennedy was noted present at 2:28 p.m.

Supervisor Migden was noted present at 2:18 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Migden, moved that the Journals of Proceedings for Monday, May 23 and Tuesday, May 31, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

Presentation of Guests

Supervisor Shelley introduced and welcomed a delegation from the Chinese-American Women Business League and gave special acknowledgement to Mrs. Chow, past President and Mrs. Elizabeth Liu, current President of the League.

Suspension of the Rules

There being no objection, on motion by Supervisor Shelley, seconded by Supervisor Maher, Rule 2.21 of the Rules of Order of the Board of Supervisors was suspended to grant privilege of the floor to Mrs. Chow.

Mrs. Chow expressed continued friendship between the People's Republic of China and the United States.

Presentation Made

On behalf of the Board of Supervisors, Supervisor Shelley presented a certificate of honor to the Chinese-American Women Business League.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Hetch Hetchy, $4,000,000]
Ordinance appropriating $4,000,000, Hetch Hetchy, for the purchase of power and rescinding various capital improvement projects for fiscal year 1993-94. (Supervisor Alioto)

File 101-93-122, Ordinance No. 242-94

Finally passed.

[Curb Painting Fees]
Ordinance amending Part III of the Municipal Code (Revenue and Finance/Business Regulations), to increase the fees for the renewal painting of white and green zones from $70 to $125 and to change the name from Department of Public Works to the Department of Parking and Traffic. (Supervisors Alioto, Bierman)

File 127-94-6, Ordinance No. 247-94

(Fiscal Impact.)

(Amends Section 129.5.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airports Commission, Concession Lease]
Ordinance approving the "Lease for Duty Free/In-Bond Merchandise Sales" between DFS Group L.P. and the City and County, acting by through its Airports Commission. (Airports Commission)

File 27-94-6, Ordinance No. 243-94

(Fiscal Impact.)

Finally passed.

[Settlement of Litigation, Benjamin S. Chavez]
Ordinance authorizing settlement of litigation of Benjamin S. Chavez against the City and County, by payment of $32,418.55. (City Attorney)

File 45-94-26, Ordinance No. 244-94

(Superior Court No. 948-706)

Finally passed.

[Settlement of Litigation, O'Brien Mechanical]
Ordinance authorizing settlement of litigation of O'Brien Mechanical v. City and County, by payment of $437,205.69. (City Attorney)

File 45-94-29, Ordinance No. 237-94

(Superior Court No. 947-060)

Finally passed.

[Dismissal Litigation, CCSF v. Peter Bullock]
Ordinance authorizing dismissal without prejudice of litigation of City and County v. Peter Bullock.

(City Attorney)

File 46-94-7, Ordinance No. 245-94

(Superior Court No. 898-704)

Finally passed.

[Port, Lease with Capital Cities, ABC, Inc.]
Ordinance approving lease agreement between Capital Cities, ABC, Inc. and the City and County, operating by and through the Port Commission for Seawall Lots 344 and 352, located south of Islais Creek at the end of Amador Street. (Port)

File 65-94-10, Ordinance No. 238-94

(Fiscal Impact.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden - 9.

Absent: Supervisors Kennedy, Shelley - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Rereferred to Committee

[Contract Procedure]
Ordinance amending the Administrative Code (Contract Procedure), requiring that all City construction contracts include a provision requiring prime contractors to make good-faith efforts to hire San Francisco residents to comprise no less than 50% of their total construction work force. (Supervisors Hallinan, Alioto, Kennedy, Kaufman, Leal, Migden, Shelley)

File 97-94-25, Ordinance No.

(Adds Section 6.56.)

(June 13, 1994 - Consideration continued to June 20, 1994.)

Supervisor Hallinan, seconded by Supervisor Kaufman, moved to rerefer to Government Efficiency and Labor Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

COMMUNICATIONS

Appeal Denied

[Building Inspectors' Association, Interest Arbitration]
Communication from Mayor appealing the decision of the Mediation/Arbitration Board dated May 23, 1994 and requesting, pursuant to Charter Section 8.409-4(e), that the Board of Supervisors reject the decision of the Arbitration Board concerning Building Inspectors' Association. (Mayor)

File 93-94-17

(Filed May 31, 1994.)

(June 6, 1994 - Referred to Government Efficiency and Labor Committee for report back to Board by June 20, 1994.)

(Pursuant to Charter Section 8.409-4(e) the Board of Supervisors may reject the arbitration board decision within 21 days of the filing of an appeal, by a two-thirds vote.)

(June 21, 1994 - Last day for Board to act.)

Supervisor Hallinan reported that the Government Erficiency and Labor Committee recommends that the Board of Supervisors sustain the Arbitration Board's decision and deny the appeal. (See infra.)

Recommendation of
Government Efficiency and Labor Committee

Adopted

[Building Inspectors' Association, Interest Arbitration]
Motion upholding the decision of the Mediation/Arbitration Board in the dispute that has arisen between the City and County and the Building Inspectors' Association. (Government Efficiency and Labor Committee)

File 93-94-17

Supervisor Hallinan presented as a recommendation of Committee.

Supervisor Hallinan, seconded by Supervisor Maher, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Noes: Supervisors Conroy, Kennedy - 2.

Appeal denied.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading as Amended

[Interim Annual Appropriation Ordinance, Fiscal Year 1994-95]
Interim Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1995. (Mayor)

File 101-94-1, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Bierman, moved to amend by restoring funds to the Mayor's Office which was deleted by the Budget Committee on June 15, 1994.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Interim Annual Salary Ordinance, Fiscal Year 1994-95]
Interim Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1995, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State Law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Department of Human Resources)

File 102-94-1, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Bierman, moved to amend by restoring positions to the Mayor's Office which was deleted by the Budget Committee on June 15, 1994.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Passed for Second Reading

[Department of Social Services, Cash Revolving Funds]
Ordinance amending Administrative Code, to decrease the amount held in the Department of Social Services cash revolving funds for Aid to Families with Dependent Children and increase the cash revolving funds held for General Assistance. (Department of Social Services)

File 97-94-39, Ordinance No.

(Amends Sections 10.157-1 and 10.157-2.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Shelley - 10.

Absent: Supervisor Migden - 1.

[Transient Occupancy Tax]
Ordinance amending Part III, (Tax on Transient Occupancy of Hotel Rooms), of the Municipal Code to add the Chinese Cultural and Trade Center Redevelopment Project Area as one of the Redevelopment Project Areas in which the tax and surcharges imposed by Sections 502, 502.5 and 502.6 of Article 7 shall be temporarily suspended to allow for the imposition of a 12 percent tax on occupancies of guest rooms in hotels in the Project Area, such 12 percent tax shall be levied pursuant to Section 7280 of the California Revenue and Taxation Code. (Supervisors Bierman, Alioto, Hsieh)

File 127-94-4.1, Ordinance No.

(Fiscal Impact.)

(Amends Section 502.7.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Conroy, Leal, Maher, Shelley - 4.

Adopted

[Property Tax Allocation, Teeter Plan]
Resolution implementing Teeter Plan Property Tax Allocation provisions; setting the Tax Loss Reserve Fund at 50 percent of the total delinquent secured taxes as governed by Revenue and Taxation Code Section 4703.2. (Controller)

File 303-94-1, Resolution No. 549-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Conroy, Leal, Maher - 3.

Recommendations of Health, Public Safety and Environment Committee

Passed for Second Reading

[Smoking Prohibition]
Ordinance amending Health Code, to prohibit smoking in enclosed spaces and certain sports stadiums. (Supervisors Alioto, Bierman, Maher, Leal, Migden, Kennedy, Shelley)

File 118-94-2, Ordinance No.

(Adds Article 19F, encompassing Sections 1009.20 through 1009.,27, to supersede and suspend the provisions of Articles 19A, 19B, 19C and 19E.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Conroy, Leal, Maher - 3.

Adopted

[Condoms As Evidence of Prostitution]
Resolution urging the Mayor to urge the District Attorney and Police Commission to no longer confiscate and/or alter or use the fact of condom possession for investigative or court evidence in prostitution-related offenses. (Supervisors Hallinan, Alioto, Bierman)

File 207-94-8, Resolution No. 548-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Conroy, Leal, Maher - 3.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

SPECIAL ORDER - 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to permitting advertising on public service kiosks associated with public toilets and adopting findings pursuant to City Planning Code Section 101.1.

File 115-93-8

The privilege of the floor was granted to the following:

Speaking in favor of the proposals:
Emperor Arcadia; Beryl Magilavy; Sydny Power; Edward Evans; Shelley Salieri; Female Presbyterian minister; Amanda Feinstein; Commissioner, Film and Video Arts Commission; Morris Philips; Casey Jones; Donna Hotspot; Michael Drasner; Paul Wells; Darwin Diaz; Female speaker; Ellie Patten; Mr. Pierson; John; Female speaker; John Spain, John, Ed Bubery; Ms. Salieri; Mark Gruberg; Adrien Hyman; Rua Geraffis; Virginia Conway; Bob Plathold; William Gerray; Walter Park; Female speaker; Pryor Conrad; Michael; Cathy Perry.

Speaking in opposition of the proposals:
Carolyn Diamond; Richard Winnie.

Committee of the Whole Rise and Report Without Recommendations

Called from Budget Committee by Supervisor Alioto

Consideration Continued

[Final Negative Declaration]
Resolution adopting Final Negative Declaration, finding and determining that the amendment of Planning Code Sections 603, 605 and 608 to permit advertising on public service kiosks associated with public toilets, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Supervisors Alioto, Maher)

File 115-93-8.2, Resolution No.

Supervisor Kennedy, seconded by Supervisor Shelley, moved to continue consideration to June 27, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kennedy, Maher, Shelley - 6.

Noes: Supervisors Bierman, Hsieh, Kaufman, Leal, Migden - 5.

[Public Toilet Advertising]
Ordinance amending City Planning Code to permit advertising on public service kiosks associated with public toilets and adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Alioto, Maher)

File 115-93-8, Ordinance No.

(Amends Sections 603, 605 and 608.)

Supervisor Kennedy, seconded by Supervisor Shelley, moved to continue consideration to June 27, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kennedy, Maher, Shelley - 6.

Noes: Supervisors Bierman, Hsieh, Kaufman, Leal, Migden - 5.

[Automatic Public Toilet Program]
Resolution authorizing the Director of Public Works to enter into an agreement with JCDecaux United Street Furniture, Inc. to provide for the placement of automatic public toilets on public property in San Francisco in exchange for the right to place public service kiosks on public property and to sell advertising on said kiosks; companion measure to Files 115-93-8 and 115-93-8.2. (Supervisors Alioto, Maher, Kennedy)

File 115-93-8.1, Resolution No.

(The Board of Supervisors anticipates that the agreement that will be before the Board on June 20 will include amended language providing that the contractor will share a percentage of the net advertising revenues they may receive from the public service kiosks when the revenues exceed a threshold amount. The agreement was previously amended so that the advertising of tobacco products at the public service kiosks is not permitted.)

The Clerk announced for the record that a third amendment to the automatic public toilet and public service kiosk agreement was received concerning Board approval required and a copy of the agreement is contained in the file.

Supervisor Kennedy, seconded by Supervisor Shelley, moved to continue consideration to June 27, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kennedy, Maher, Shelley - 6.

Noes: Supervisors Bierman, Hsieh, Kaufman, Leal, Migden - 5.

Request Granted

Supervisor Conroy requested that letter be sent to the Budget Analyst requesting he review the 20

year public toilet contract to determine the amount of money generated through the kiosk per toilet per year and compare it to a leasing proposal (operation, maintenance, capital costs) for a 20 year period from seven toilets.

No objection and Clerk directed to comply.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider ordinance amending Part III, Municipal Code by amending Section 802A to make technical changes and to extend the temporary admission tax on any operator of athletic contests, exhibition and other special events, effective January 1, 1994, and amending Section 804 to change the deadlines for remitting portions of the tax to the city. (Supervisors Hallinan, Hsieh, Alioto, Bierman)

File 127-94-2

(May 16, 1994 - A first public hearing as required by State law was held.)

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Dehnert Queen.

Passed for Second Reading

[Stadium Operator Admission Tax]
Ordinance amending Part III, Municipal Code, to make technical changes and to extend the temporary admission tax on any operator of athletic contests, exhibition and other special events, effective January 1, 1994, and to change the deadlines for remitting portions of the tax to the city. (Supervisors Hallinan, Hsieh, Alioto, Bierman)

File 127-94-2, Ordinance No.

(Fiscal Impact.)

(Amends Sections 802A and 804.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Conroy, Leal, Maher, Shelley - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Emperor Arcadia, foreign issue;
Dehnert Queen, budget process;
Virginia Conroy, posting of Environment Commission agendas.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclaim, Taxicab Drivers Appreciation Week]
Resolution designating June 20-24, 1994 "Taxicab Drivers Appreciation Week". (Supervisors Hallinan, Alioto)

File 004-94-016, Resolution No. 522-94

(June 13, 1994 - Introduced in Board for consideration on June 20, 1994.)

Adopted.

[Urging the Mayor to submit a balanced budget]
Resolution urging the Mayor to submit a balanced budget. (Supervisors Hsieh, Migden, Alioto, Bierman, Kaufman, Shelley, Hallinan, Leal)

File 100-94-1.2, Resolution No. 550-94

(June 13, 1994 - Introduced in Board for consideration on June 20, 1994.)

Adopted.

[Angel Island/Red Rock Minor Boundary Change]
Resolution setting July 11, 1994 as the hearing date for all persons interested in a proposal by the County of Marin to change the boundary lines of the City and County to remove certain portions of Angel Island known as East Garrison and Point Blunt from the City and County and place all of Angel Island within Marin County, and to make minor technical changes in said boundary lines at Red Rock to place all of Red Rock in San Francisco and Contra Costa Counties. (Supervisor Alioto)

File 199-94-2, Resolution No. 547-94

(June 13, 1994 - Introduced in Board for consideration on June 20, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Migden - 6.

Absent: Supervisors Alioto, Hallinan, Leal, Maher, Shelley - 5.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-25, Resolution No. 518-94

(Mayor Frank Jordan, June 16 - 20; Susan Leal, member, Board of Supervisors, June 23 - 27; Mary Callanan, Treasurer, July 7 - 20; Lucille Abrahamson, member, Human Rights Commission, July 12 - August 6; Fred E. Jordan, Jr., Chief Probation Officer, July 7 - 10; James Haskell Mayo, II, member, Human Rights Commission, July 5 - 12; Anson B. Moran, General Manager, Public Utilities Commission, June 1 - 3; Frank O'Neill, member, Port Commission, June 16 - 20; Anthony Ribera, Chief of Police, June 9 - 14; Doris M. Ward, Assessor, June 10 - 18, 1994.)

Adopted.

[Commending Jack Jacqua]
Resolution commending and honoring Jack Jacqua for his dedication and commitment to the youth of San Francisco. (Supervisors Conroy, Alioto, Kennedy)

File 6-94-38, Resolution No. 519-94

Adopted.

In connection with the above item, Supervisors Alioto, Kennedy requested to be added as co-sponsors.

[Commending Joe Marshall]
Resolution commending and honoring Joe Marshall for his dedication and commitment to the youth of San Francisco. (Supervisors Conroy, Alioto, Kennedy)

File 6-94-39, Resolution No. 520-94

Adopted.

In connection with the above item, Supervisors Alioto, Kennedy requested to be added as co-sponsors.

[Commending the Omega Boys Club]
Resolution commending and honoring the Omega Boys Club for its dedication and commitment to the youth of San Francisco. (Supervisors Conroy, Alioto, Kennedy)

File 6-94-40, Resolution No. 521-94

Adopted.

In connection with the above item, Supervisors Alioto, Kennedy requested to be added as co-sponsors.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Migden - 6.

Absent: Supervisors Alioto, Hallinan, Leal, Maher, Shelley - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Port Lease, South West Marine, Inc.]
Ordinance approving First Amendment to Lease Agreement between South West Marine, Inc. (dba San Francisco Drydock, Inc.) and the City and County, operating by and through the San Francisco Port Commission for ship repair operations at Pier 70. Supervisors Migden, Shelley presented. Referred to Government Efficiency/Labor Committee.

File 065-94-014.

[Consultant Contracts, False Claims]
Ordinance amending Administrative Code by adding Section 6.57 relating to penalties assessed against contractors for submitting false claims. Supervisor Conroy presented. Referred to Government Efficiency/Labor Committee.

File 097-94-045.

[Access Appeals Commission]
Ordinance amending Building Code by amending Sections 215, 203(t) and 332.3 to change the name of the Handicapped Access Appeals Board to the Access Appeals Commission, provide for an official reporter and a rehearing procedure, to provide that the Access Appeals Commission hears abatement cases related to disabled access rather than the Abatement Appeals Board and to increase the Board's compensation and filing fees. Supervisors Kennedy, Alioto presented. Referred to Budget Committee.

File 114-94-004.

[Street Artist Hearing Procedure]
Ordinance amending Police Code by amending Sections 2401, 2408 and 2409 to revise procedures for the suspension or revocation of street artist certificates. Supervisors Hallinan, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 121-94-007.

Referred to Board

[Appointment, Waive Residency]
Resolution amending Resolution No. 262-94 by waiving the residency requirement for the appointment of Maceo A. May to the Veterans Affairs Commission. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar June 27, 1994.

File 092-93-049.02.

[Commend, Girls Against Tobacco Campaign]
Resolution commending the "Girls Against Tobacco Campaign" class for its successful efforts in forcing the removal of a tobacco advertisement from a billboard near Horace Mann Middle School. Supervisors Alioto, Shelley, Bierman, Kennedy, Hsieh, Leal, Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar June 27, 1994.

File 006-94-041.

[Commend, Shanti Project]
Resolution congratulating the Shanti Project on its Twentieth Anniversary and recognizing the valuable service the Shanti Project provides to the City and County of San Francisco. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 27, 1994.

File 006-94-042.

Referred to Committee

[Municipal Railway, Cable Car Maintenance]
Resolution urging the Mayor to make the relocation of the Municipal Railway's Special Machine Shop and the administrative offices of the Ways and Structures Division a top priority; and urging the Mayor to urge the San Francisco Port Commission to allow the Municipal Railway the partial use of the Pier 80 Army Street Terminal as a temporary replacement facility; and urging the Mayor to urge the Port Commission to charge Muni a monthly rental fee of one dollar until the Special Machine Shop and administrative offices of the Ways and Structures Division are moved to a permanent location. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 007-94-012.

Referred to Board

[Merger of Divisions, Department of Public Health]
Resolution urging the Mayor to urge the Health Commission not to eliminate the Toxic, Health and Safety Services Division. Supervisors Shelley, Bierman, Hsieh, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar June 27, 1994.

File 030-94-012.

Referred to Committee

[Grant, Online Human Services Directory]
Resolution authorizing San Francisco Public Library to apply for funds not to exceed $612,026 available through United States Department of Commerce, National Thechnology Information Administration (NTIA), for the purpose of establishing the San Francisco Connection-City and County Online Human Services Directory; indirect costs are included in this grant. Supervisors Leal, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 147-94-004.

Referred to Board

[Treasure Island Building No. 2, Film Production]
Resolution requesting the Redevelopment Agency, pursuant to California Community Redevelopment Law, to take conveyance, by lease or license agreement, of Building Number 2 on Treasure Island for lease or license to a film production company. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 27, 1994.

File 161-94-005.

[Terminate Peninsula Corridor Joint Powers Board]
Resolution directing the Clerk of the Board to notify the San Mateo County Transportation District and the Santa Clara County Transportation District of San Francisco's termination of membership on the Peninsula Corridor Joint Powers Board unless there is agreement reached on the Joint Powers Board budget. Supervisor Hsieh presented. Referred to Board for Adoption Without Committee Reference Calendar June 27, 1994.

File 172-94-002.01.

[Environment Review]
Resolution urging the City Planning Commission to extend the public comment period for Bayside Discharge Alternatives, EIR 92.531E-SCH3 93032040. Supervisors Migden, Bierman, Kaufman, Hallinan, Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 27, 1994.

File 189-94-001.

[Street Smarts and Friends]
Resolution supporting the goals of Street Smarts and Friends. Supervisors Kennedy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 27, 1994.

File 207-94-011.

Referred to Committee

[Old St. Mary's Cathedral]
Substitute resolution declaring the City and County of San Francisco's recognition of support of Old St. Mary's Cathedral and all landmarked places of worship that need seismic retrofitting. Supervisors Hsieh, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 246-94-001.

[Churches, Retrofit Unreinforced Masonry Building]
Resolution declaring the City and County of San Francisco's recognition of and support of efforts of churches to raise funds to retrofit unreinforced masonry buildings that are important community assets. Supervisors Kennedy, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 246-94-002.

Referred to Board

[Grant, Special Advocate Grant Program]
Resolution acknowledging the award of a grant by the California Judicial Council to the San Francisco Court Appointed Special Advocates. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 27, 1994.

File 275-94-001.

Requests for Hearings:

[Tuberculosis Prevention and Testing]
Hearing to consider the increase of tuberculosis infections, the status of testing and prevention programs. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 030-94-017.

[Viacom Cable Lifeline Subscriber Rate Increase]
Hearing to consider the recent increase in rates for Viacom cable lifeline subscribers. Supervisors Bierman, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 032-94-003.

[False Billings and Claims]
Hearing to consider legislation requiring the City to pursue false billings and claims under Government Code Section 27750, to allow for three times the damages and a $10,000 fine for overbilling and other actions, and to place in all contracts language referring to the False Claim Act and the City policy to pursue all claims under such code in addition to any other remedies. Supervisor Conroy presented. Referred to Government Efficiency/Labor Committee.

File 097-94-046.

[Consultant Contract Cost Overruns]
Hearing to consider the problem in all City departments of consultant contract cost overruns above pre-approved and agreed to amounts and possible amendment to the Administrative Code to provide for the ban of a contractor from doing business with the City for a specified time or fine or both when found to be overbilling the City for services, continuing to bill the City for contractual services over the contract amount prior to written and proper approval for such contract amount increases and requiring the City to place in all contracts for consultants and services such Administrative Code provisions. Supervisor Conroy presented. Referred to Government Efficiency/Labor Committee.

File 097-94-047.

[Camp Mather Employees]
Hearing to consider the hiring of temporary summer employees at Camp Mather as it relates to methods and criteria for selection, including ethnic, racial and gender makeup, as well as residency of said employees. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 193-94-003.

[Status of San Francisco Women and Girls Report]
Hearing to consider the Commission on the Status of Women's 1994 Report on the Status of San Francisco Women and Girls. Supervisors Conroy, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 242-94-003.

[County Veterans Affairs Office]
Hearing to consider the performance of the County Veterans Affairs Office. Supervisor Kaufman presented. Referred to Government Efficiency/Labor Committee.

File 276-94-001.

[Jelani House]
Hearing to consider the Jelani House. Supervisor Shelley presented. Referred to Health/Public Safety/Environment Committee.

File 277-94-001.

Motions:

Referred to Board

[Needle Exchange Emergency Declaration]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar June 27, 1994.

File 030-94-001.12.

Referred to Committee

[Ballot Measure, Elections Task Force]
Motion ordering submission of an ordinance amending the Administrative Code by adding Sections 5.87 through 5.89, relating to the creation of an Elections Task Force and appropriating $25,000 for the work of the task force. Supervisor Hallinan presented. Referred to Rules Committee.

File 278-94-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-93-125. [Appropriation, Dept of Public Works, $92,166] Ordinance appropriating and certifying $92,166, Department of Public Works, for capital improvement project to cover ten percent overage as per Charter Section 7.203; providing for ratification of action previously taken, for fiscal year 1994-95. (Controller) Referred to Budget Committee.

File 101-93-126. [Appropriation, Dept of Public Works, $1,545,654] Ordinance appropriating $1,545,654,

Department of Public Works, from the 1989 Earthquake Safety Bond fund interest earnings for capital improvements to the Palace of the Legion of Honor for fiscal year 1994-95. (Controller) Referred to Budget Committee.

File 027-94-009. [Airport, Lease Modification/American Airlines, Inc] Ordinance approving Modification No. 5 of Lease and Use Agreement between American Airlines, Inc. and City and County of San Francisco acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 045-94-036. [Settlement of Litigation, Leon Delarosa] Ordinance authorizing settlement of litigation of Leon Delarosa against the City and County of San Francisco by payment of $25,000. (Superior Court No. 942-452) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-94-037. [Settlement of Litigation, Judith Alabdi] Ordinance authorizing settlement of litigation of Judith Alabdi against the City and County of San Francisco by payment of $30,000. (Superior Court No. 951-047) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-94-038. [Settlement of Litigation, Sheila Gropper Nelson] Ordinance authorizing settlement of litigation of Sheila Gropper Nelson against the City and County of San Francisco by payment of $10,000. (Municipal Court No. 082-772) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-94-008. [Settlement of Litigation, Estate of Carl Donnelly] Ordinance authorizing settlement of litigation of City and County of San Francisco against A-1 Construction & Development Co., et al., upon receipt of $20,000. (Superior Court No. 944-079) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 065-94-011. [Lease, Twin Peaks Mobil Gas Station] Ordinance authorizing and approving a negotiated lease with Michael Gharib, dba Twin Peaks Mobil, of certain City-owned land at the northeast corner of Portola Drive and Woodside Avenue, without competitive bidding; and ratifying previous actions. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 065-94-012. [Lease, AIDS Foundation, 25 Van Ness Avenue] Ordinance authorizing and approving the renewal of a lease of space in City-owned property at 25 Van Ness Avenue, consisting of portions of floors 3, 6 and 7, to the San Francisco AIDS Foundation, a non-profit corporation, commencing August 1, 1994. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 065-94-013. [Caltrans, Permit to Use City-Owned Property] Ordinance authorizing the State of California Department of Transportation to use City-owned property at (Army Street and Bayshore Boulevard); and to adopt findings pursuant to City Planning Code Section 101.1. (Real estate Department) Referred to Government Efficiency/Labor Committee.

File 093-94-020.01. [Fiscal Provisions, District Attorney Investigators] Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the District Attorney Investigators' Association for the period July 1, 1994 through June 30, 1995; companion measure to File 93-94-20. (Mayor's Office of Employee Relations Division) Referred to Government Efficiency/Labor Committee.

File 097-94-044. [County Clerk-Recorder, Cost Recovery Fees] Ordinance amending Administrative Code by amending Section 8.33, authorizing the County Clerk-Recorder to increase fees otherwise set by state law to reflect the actual cost of providing certain records and services. (County Clerk-Recorder) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-94-021. [Contract Out, Budget Analyst Services] Resolution concurring with the Controller's certification that Budget Analyst services can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Controller) Referred to Government Efficiency/Labor Committee.

File 025-94-022. [Contract Out, Airport Parking Management Services] Resolution approving the Controller's Certification that parking management services for San Francisco International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 1994, than if work were performed by City employees at budgeted levels. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 028-94-012. [Emergency Repair, Laguna Honda Hospital Generator] Resolution approving payment for the emergency repair of the generator at Laguna Honda Hospital. (Department of Public Health) Referred to Budget Committee.

File 030-94-016. [DPH 1994-97 Designation Agreement] Resolution designating certain facilities as intensive treatment facilities pursuant to Welfare and Institutions Code Sections 5150 and 5250; and authorizing the Director of Mental Health to enter into agreements with said facilities. (Department of Public Health) Referred to Health/Public Safety/Environment Committee

File 048-94-013. [Settlement of Claim, Wells Fargo Bank] Resolution approving the settlement of the unlitigated claim of Wells Fargo Bank by payment of $16,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-94-010. [Lease of Property, 1390 Market Street] Resolution authorizing a lease of real property at Fox Plaza, 1390 Market Street, for the relocation of the City Attorney currently located at City Hall. (Also see File 93-94-6.) (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 064-94-011. [Lease of Property, 760 Harrison Street] Resolution authorizing a lease of real property at 760 Harrison Street, San Francisco, for the Police Commission's Office of Citizen Complaints. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 093-94-018. [MOU, Cement Masons Local 580] Resolution ratifying Memorandum of Understanding between the Cement Masons, Local 580 and the City and County of San Francisco. (Mayor's Office of Employee Relations Division) Referred to Government Efficiency/Labor Committee.

File 093-94-019. [MOU, Probation Officers Association] Resolution ratifying Memorandum of Understanding between the Probation Officers Association and the City and County of San Francisco. (Mayor's Office of Employee Relations Division) Referred to Government Efficiency/Labor Committee.

File 093-94-020. [MOU, District Attorney Investigators' Association] Resolution ratifying Memorandum of Understanding between the District Attorney Investigators' Association and the City and County of San Francisco; companion measure to File 93-94-20.1. (Mayor's Office of Employee Relations Division) Referred to Government Efficiency/Labor Committee.

File 146-94-014. [Grant - Federal, Varicella Surveillance Research] Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to apply for a grant of $180,000, which includes indirect costs in the amount of $27,500, based on twenty five percent of salaries from the Centers for Disease Control and Prevention, for Varicella Research Project. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 156-94-002. [Federal Fund, PIC 1994 Refugee County Plan] Resolution approving the San Francisco 1994 Refugee County Plan and authorizing the Private Industry Council to apply for, accept and expend $797,503 in line with that plan. (Private Industry Council) Referred to Government Efficiency/Labor Committee.

File 172-94-023. [Agreement, CCSF/State Personnel Board] Resolution authorizing the execution of agreement and amendments thereto between the City and County of San Francisco through the Mayor's Office, and the State Personnel Board for Career Opportunities Development Program. (Mayor's Office of Emergency Services) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that City Attorney prepare ordinance amending Part III, Municipal Code, by amending Section 1102 to impose a Real Property Transfer Tax increase from $5.00 for each thousand dollars of consideration or value to $10.00 for transactions in which the consideration exceeds $250,000.

By Supervisor Kennedy, that letter be sent to the Commission on the Status of Women transmitting copy of letter from California Elected Women's Association for Education and Research concerning hearing on Women and Immigration and urging the Commission on the Status of Women to participate by submitting written testimony on this issue.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Rev. Calvin Jones Sr. (Supervisor Kennedy)
George Love (Supervisor Kennedy)
Andria B. Allston (Supervisor Kennedy)
Diana Ruane (Supervisor Hallinan)
Wilbert Battle (Supervisors Shelley, Kennedy, Bierman)
Leali'ie'eiao Nofolauma Fulu Asi Tuiasosopo (Supervisor Bierman)
Darrell Yee (Supervisors Kaufman, Leal)
Barbara Meiswinkle (Supervisor Leal)
F. Simon Scanlon (Supervisor Leal)

File 2-94-25

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:51 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 18, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, June 27, 1994

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

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Volume 89 Number 26

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, June 27, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:07 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Noted absent at first roll call:

Supervisors Conroy, Leal, Maher, Shelley - 4.

Quorum present.

Supervisor Conroy was noted present at 2:08 p.m.

Supervisor Leal was noted present at 2:18 p.m.

Supervisor Maher was noted present at 2:17 p.m.

Supervisor Shelley was noted present at 2:13 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Migden, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, June 6, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Leal, Maher, Shelley - 3.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Department of Social Services, Cash Revolving Funds]
Ordinance amending Administrative Code, to decrease the amount held in the Department of Social Services cash revolving funds for Aid to Families with Dependent Children and increase the cash revolving funds held for General Assistance. (Department of Social Services)

File 97-94-39, Ordinance No. 248-94

(Amends Sections 10.157-1 and 10.157-2.)

Finally passed.

[Stadium Operator Admission Tax]
Ordinance amending Part III, Municipal Code, to make technical changes and to extend the temporary admission tax on any operator of athletic contests, exhibition and other special events, effective

January 1, 1994, and to change the deadlines for remitting portions of the tax to the city. (Supervisors Hallinan, Hsieh, Alioto, Bierman)

File 127-94-2, Ordinance No. 250-94

(Fiscal Impact.)

(Amends Sections 802A and 804.)

Finally passed.

[Transient Occupancy Tax]
Ordinance amending Part III, (Tax on Transient Occupancy of Hotel Rooms), of the Municipal Code to add the Chinese Cultural and Trade Center Redevelopment Project Area as one of the Redevelopment Project Areas in which the tax and surcharges imposed by Sections 502, 502.5 and 502.6 of Article 7 shall be temporarily suspended to allow for the imposition of a 12 percent tax on occupancies of guest rooms in hotels in the Project Area, such 12 percent tax shall be levied pursuant to Section 7280 of the California Revenue and Taxation Code. (Supervisors Bierman, Alioto, Hsieh)

File 127-94-4.1, Ordinance No. 246-94

(Fiscal Impact.)

(Amends Section 502.7.)

Finally passed.

Recommendations of Health, Public Safety and Environment Committee

Finally Passed

[Smoking Prohibition]
Ordinance amending Health Code, to prohibit smoking in enclosed spaces and certain sports stadiums. (Supervisors Alioto, Bierman, Maher, Leal, Migden, Kennedy, Shelley)

File 118-94-2, Ordinance No. 249-94

(Adds Article 19F, encompassing Sections 1009.20 through 1009.27, to supercede and suspend the provisions of Articles 19A, 19B, 19C.and 19E.)

Finally passed.

Recommendations of Housing and Land Use Committee

Adopted

[Parking of Vehicles]
Resolution extending buffer zone A-K of Residential Permit Parking Area K, in the Cow Hollow/Golden Gate Valley and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-94-9, Resolution No. 553-94

(Broadway, between Van Ness Avenue and Franklin Street, north side;
Franklin Street, between Broadway and Vallejo Street, both sides;
Vallejo Street, between Franklin Street and Van Ness Avenue, south side;
Van Ness Avenue, between Vallejo Street and Broadway, west side.)

Adopted.

[Parking of Vehicles]
Resolution extending the boundaries of Residential Permit Parking Area U, in the South of Market area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-94-10, Resolution No. 554-94

(Clara Street, between 4th and 6th Streets, south side.)

Adopted.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, James Wong]
Ordinance authorizing settlement of litigation of James Wong against the City and County of San Francisco by payment of $35,000. (City Attorney)

File 45-94-31, Ordinance No.

(Superior Court No. 951-438.)

Passed for second reading.

[Settlement of Litigation, Jin L. Wu]
Ordinance authorizing settlement of litigation of Wu against the City and County of San Francisco by payment of $8,500. (City Attorney)

File 45-94-32, Ordinance No.

(Municipal Court No. 67-525.)

Passed for second reading.

[Settlement of Lawsuit, Wai Fan Chan Lo]
Ordinance authorizing settlement of litigation of Wai Fan Chan Lo and Kenneth Lo against the City and County of San Francisco by payment of $20,000. (City Attorney)

File 45-94-33, Ordinance No.

(Superior Court No. 951-488.)

Passed for second reading.

[Settlement of Litigation, Stephanie Allen]
Ordinance authorizing settlement of litigation of Stephanie Allen against the City and County of San Francisco by payment of $20,000. (City Attorney)

File 45-94-34, Ordinance No.

(Superior Court No. 953-062.)

Passed for second reading.

Adopted

[Settlement of Claim, Laboyd Elder]
Resolution approving the settlement of the unlitigated claim of Laboyd Elder by payment of $11,000. (City Attorney)

File 48-94-10, Resolution No. 583-94

Adopted.

[Settlement of Claim, Can Chang Yang]
Resolution approving the settlement of the unlitigated claim of Can Chang Yang by payment of $8,250.00. (City Attorney)

File 48-94-11, Resolution No. 555-94

Adopted.

[Settlement of Claim, Aviva Orner]
Resolution approving the settlement of the unlitigated claim of Aviva Orner by payment of $16,000. (City Attorney)

File 48-94-12, Resolution No. 556-94

Adopted.

[Family Mosaic Medi-Cal Capitation Contract Renewal]
Resolution authorizing the Department of Health to renew a contract with the State Department of Health Services to continue a Medicaid/Mental Health Delivery System. (Department of Public Health)

File 172-93-4.2, Resolution No. 574-94

Adopted.

[Consent to Relinquishment, Parcels Near I-280]
Resolution consenting to State of California's relinquishment through its Department of Transportation to the City and County of San Francisco portions of State Right-of-Way in the vicinity of Route 280 between Plymouth Avenue and Justin Drive. (Department of Public Works)

File 172-93-24.1, Resolution No. 575-94

Adopted.

[Amendment and Extension of Existing Real Property Lease]
Resolution authorizing an amendment and extension of an existing lease of real property at 1975-1999 Bryant Street for the Department of Parking and Traffic. (Department of Parking and Traffic)

File 64-94-9, Resolution No. 559-94

Adopted.

[Grant - State, Grief Support Training Program]
Resolution authorizing the Department of Public Health, Central Administration Emergency Services (EMS) Agency, to apply for retroactively, accept and expend a grant of $50,540, which includes indirect costs of $5,541, based on 25% of personnel costs from the State Emergency Medical Services Authority, to provide for the development of a grief support training program for prehospital personnel; providing for ratification of action previously taken. (Supervisor Alioto)

File 146-94-8, Resolution No. 565-94

Adopted.

[Grant - State, Substance Abuse Prevention to Youth]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services, to accept and expend retroactively a grant up to the amount of $585,610, which excludes indirect costs, from the State of California, Office of Traffic Safety, for substance abuse prevention to youth in San Francisco schools; waiving indirect costs and providing for ratification of action previously taken. (Supervisor Alioto)

File 146-94-9, Resolution No. 546-94

Adopted.

[Grant - State, Emergency Medical Services]
Resolution authorizing the Department of Public Health, Central Administration, Emergency Medical Services (EMS) Agency, to apply for retroactively, and accept and expend a grant of $75,000, which includes indirect costs in the amount of $7,240 based on 25% of personnel costs, from the State Emergency Medical Services Authority to provide for the continuing development of the Emergency Medical Services Agency Data Linkage Project; providing for ratification of action previously taken. (Department of Public Health)

File 146-94-11, Resolution No. 567-94

Adopted.

[Grant - March of Dimes]
Resolution authorizing the Department of Public Health, Children's Unit, to apply for retroactively, and accept and expend a grant of $2,200, from the March of Dimes, to improve health outcomes to failure to thrive children in San Francisco; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health)

File 146-94-13, Resolution No. 569-94

Adopted.

[Grant - Federal]
Resolution authorizing the Department of Public Health, Bureau of Epidemiology and Disease Control, to apply for a grant of $180,000, which includes indirect costs in the amount of $27,500 based on 25% of salaries, from the Centers for Disease Control and Prevention, for Varicella Surveillance Research Project. (Supervisor Alioto)

File 146-94-14, Resolution No. 570-94

Adopted.

[Contract, Temporary Custody of Female Juveniles]
Resolution approving a new contract for the 1994-95 contract year between the City and County of San Francisco, Juvenile Probation Department, and the County of Santa Clara, Santa Clara County Probation Ranches, to provide for the placement of female juveniles. (Juvenile Probation Department)

File 172-94-20, Resolution No. 577-94

Adopted.

[Approval of Civic Center Management Contract]
Resolution approving a contract with AMPCO Parking to manage the Civic Center Garage. (Department of Parking and Traffic)

File 172-94-22, Resolution No. 579-94

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Leal, Maher, Shelley - 3.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

[Interim Annual Appropriation Ordinance, Fiscal Year 1994-95]
Interim ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1995. (Mayor)

File 101-94-1, Ordinance No. 251-94

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Leal, Maher, Shelley - 3.

[Interim Annual Salary Ordinance, Fiscal Year 1994-95]
Interim ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1995, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State Law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations therefor. (Department of Human Resources)

File 102-94-1, Ordinance No. 252-94

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Leal, Maher, Shelley - 3.

From Committee of the Whole Without Recommendations

Called from Budget Committee by Supervisor Alioto

Refused Adoption

[Final Negative Declaration]
Resolution adopting Final Negative Declaration, finding and determining that the amendment of Planning Code Sections 603, 605 and 608 to permit advertising on public service kiosks associated with public toilets, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Supervisors Alioto, Maher)

File 115-93-8.2, Resolution No.

(June 20, 1994 - Consideration continued to June 27, 1994.)

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

Refused adoption by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kennedy, Maher - 4.

Noes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Leal, Migden, Shelley - 7.

Refused Passage for Second Reading

[Public Toilet Advertising]
Ordinance amending City Planning Code to permit advertising on public service kiosks associated with public toilets and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 115-93-8.2. (Supervisors Alioto, Maher)

File 115-93-8, Ordinance No.

(Amends Sections 603, 605 and 608.)
(June 20, 1994 - Consideration continued to June 27, 1994.)

Refused passage for second reading by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kennedy, Maher - 4.

Noes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Leal, Migden, Shelley - 7.

Refused Adoption

[Automatic Public Toilet Program]
Resolution authorizing the Director of Public Works to enter into an agreement with JCDecaux United Street Furniture, Inc. to provide for the placement of automatic public toilets on public property in San Francisco in exchange for the right to place public service kiosks on public property and to sell advertising on said kiosks; companion measure to Files 115-93-8 and 115-93-8.2. (Supervisors Alioto, Maher, Kennedy)

File 115-93-8.1, Resolution No.

(June 20, 1994 - Consideration continued to June 27, 1994.)

Refused adoption by the following vote:

Ayes: Supervisors Alioto, Hallinan, Kennedy, Maher - 4.

Noes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Leal, Migden, Shelley - 7.

The President resumed the Chair.

NEW BUSINESS

Recommendation of Budget Committee

Adopted

[Redevelopment Agency Interim Budget]
Resolution approving an interim budget of the Redevelopment Agency of the City and County of San Francisco for fiscal year 1994-95 in the amount of $9,611,250. (Redevelopment Agency)

File 161-94-3, Resolution No. 572-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Leal, Maher, Shelley - 3.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Street Acceptance]
Ordinance accepting roadway, including curbs, of Twenty-Sixth Street, between Treat Avenue and Harrison Street. (Department of Public Works)

File 9-94-1, Ordinance No.

(General rule exclusion from environmental review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 8.

Absent: Supervisors Leal, Maher, Shelley - 3.

[Advertising on Publicly Owned Property]
Ordinance amending City Planning Code to permit advertising on publicly owned property in an RH-1D District adjacent to a C-2 District provided such advertising faces a C-2 District and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Kaufman)

File 115-94-3, Ordinance No.

(Amends Section 603.)
(General rule exclusion from environmental review.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Conroy, Leal, Maher, Shelley - 4.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution appointing a member to the Advisory Committee on Adult Detention. (Rules Committee)

File 92-91-21.1, Resolution No. 560-94

(Catherine Yee, vice John Irwin, term expired, for the unexpired four-year term ending June 30, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Conroy, Leal, Maher, Shelley - 4.

[Appointment]
Resolution appointing a member to the Joint Task Force on the HIV Epidemic. (Rules Committee)

File 92-94-23, Resolution No. 562-94

(Ben Carlson, vice Michael Shriver, resigned, for the unexpired portion of the one-year term ending September 29, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Conroy, Leal, Maher, Shelley - 4.

[Appointment]
Resolution appointing members to the Maternal Child and Adolescent Health Board. (Rules Committee)

File 92-94-27.1, Resolution No. 563-94

(Father James Goode, vice Grace King, term expired, for the unexpired portion of the three-year term ending August 31, 1995;

Toye Moses, vice himself, term expired, for the unexpired portion of the three-year term ending August 31, 1995.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Conroy, Leal, Maher, Shelley - 4.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport, Airline Lease/United Air Lines, Inc.]
Ordinance approving the early relinquishment of Lease No. 66-0171, for Plot 1C, between United Air Lines, Inc. and the City and County of San Francisco acting by and through its Airports Commission. (Airports Commission)

File 27-94-8, Ordinance No. 258-94

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Conroy, Leal, Maher - 3.

[Memorandum of Understanding, Police Officers Association, Local 911]
Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers Association, Local 911, for the ranks of Q-60 Lieutenant, Q-80 Captain, 0460 Police Commission Secretary, 0488 Commander and 0400 Deputy Chief for the period July 1, 1994 through June 30, 1995. (Employee Relations Division)

File 93-94-14, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Conroy, Leal, Maher - 3.

[Memorandum of Understanding, Police Officers Association, Local 911]
Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers Association, Local 911, for the ranks of Q-2 Police Officer, Q-20 Police Woman, Q-35 Assistant Inspector, 0308 Inspector, and Q-50 Sergeant for the period July 1, 1994 through June 30, 1995. (Employee Relations Division)

File 93-94-15, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 8.

Absent: Supervisors Conroy, Leal, Maher - 3.

[Memorandum of Understanding, Firefighters Union, Local 798] Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters Union, Local 798, IAFF, AFL-CIO for the period July 1, 1994 through June 30, 1995. (Employee Relations Division)

File 93-94-16, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Leal, Maher - 2.

Adopted

[Reimbursement to Employee]
Resolution authorizing reimbursement for cost of personal property of James Ilnicki damaged in the line of duty in the amount of $416.76; to be funded by the Airport Operating Fund. (Government Efficiency and Labor Committee)

File 51-93-2.1, Resolution No. 557-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Leal, Maher - 2.

Consideration Continued

[Grant - Federal, Homeless Dually Diagnosed]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to retroactively apply for a grant up to the amount of $700,000 which includes indirect costs in the amount of $14,700 which is 2% of the grant application amount from the United States Department of Health and Human Services, Center for Mental Health Services and Center for Substance Abuse Treatment to provide evaluation of the Mental Health and Substance Abuse Service Referral System for the homeless dually diagnosed. (Supervisor Leal)

File 146-93-57.2, Resolution No.

Supervisor Kaufman, seconded by Supervisor Migden, moved to continue consideration to July 5, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Migden, Shelley - 9.

Absent: Supervisors Leal, Maher - 2.

Adopted

[Contract Out/Body Removal Services]
Resolution concurring with the Controller's certification that body removal services for the coroner's office can be practically reformed by private contractor for lower cost than similar work services performed by City and County employees. (Chief Medical Examiner - Coroner)

File 25-94-7, Resolution No. 552-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 7.

Noes: Supervisor Bierman - 1.

Absent: Supervisors Conroy, Maher, Shelley - 3.

[Airport Administration]
Resolution authorizing the Airports Commission to apply for, accept and expend funds in the amount of $87,630 for a Caltrain-SFO Shuttle from the Bay Area Air Quality Management District under AB 434 funds, California Clean Air Act Legislation, for a second year of operation; waiving indirect costs. (Airports Commission)

File 27-94-7, Resolution No. 584-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

[Renewal of Lease, 1155 Market Street]
Resolution authorizing a lease renewal at 1155 Market Street, for the Employees' Retirement System. (Real Estate Department)

File 64-94-8, Resolution No. 558-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

Appointment of President Pro Tempore

At the request of the President, Supervisor Conroy assumed the Chair.

Consideration Continued

[Reimbursement to Employees]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty consisting of 11 claims in the aggregate amount of $523.22. (Government Efficiency and Labor Committee)

File 51-94-1, Resolution No.

(Fiscal Impact.)

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to continue consideration to July 5, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

The President resumed the Chair.

Adopted

[Grant - State, Handicapped Transportation Services]
Resolution authorizing the Department of Public Health, Laguna Honda Hospital, to apply for, accept and expend a grant of $47,760 and a required match in the amount of $11,940, which is 20% of indirect costs, from the State of California Department of Transportation (CALTRANS) for handicapped transportation services to the residents of San Francisco; waiving indirect costs. (Supervisor Alioto)

File 146-94-7, Resolution No. 564-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

[Grant - State, Unreimbursed Health Care Costs]
Resolution authorizing the Department of Public Health, Central Office, Community Public Health and Community Mental Health Services, to accept and expend in fiscal year 92-93 funds of up to $560,000, which includes indirect costs in the amount of approximately $99,000 based on 18% of the total award, from the State Department of Health Services, State Legalization Impact Assistance Grant (SLIAG), for unreimbursed public health care costs of persons who are legalized pursuant to the provisions of the Immigration Reform and Control Act (IRCA). (Supervisor Alioto)

File 146-94-10, Resolution No. 566-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

[Grant - State/Federal]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for, accept and expend a grant of $902,778, which excludes indirect costs, from the United States Department of Housing and Urban Development for supportive services and housing to mentally disabled clients; waiving indirect costs; providing for ratification of action previously taken. (Department of Public Health, Supervisor Alioto)

File 146-94-12, Resolution No. 568-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[Grant - Federal, Embarcadero Roadway Project]
Resolution authorizing the Director of Public Works to apply for, accept and expend federal funds of up to $14,752,000 from the Federal Highway Administration, waiving indirect costs, for construction of The Embarcadero Roadway Project; placing $12,965,000 on reserve. (Department of Public Works)

File 148-94-4, Resolution No. 585-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

[Grant - Federal Funds]
Resolution authorizing the Recreation and Park Department to accept and expend grant funds in the amount of $724,000, from the Intermodal Surface Transportation Efficiency Act for the Beach Chalet Restoration Phase I Project; placing $571,053 on reserve. (Recreation and Park Department, Supervisors Alioto, Hsieh)

File 150-94-2, Resolution No. 571-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Conroy, Leal, Maher, Shelley - 4.

In connection with the above item, Supervisors Alioto, Hsieh requested to be added as co-sponsors.

[Contract, Temporary Custody of Juvenile Ward]
Resolution authorizing the Chief Probation Officer of the Juvenile Probation Department to enter into a contract with California Youth Authority for emergency custody of a juvenile ward of the court from the County of San Francisco; providing for ratification of action previously taken. (Juvenile Probation Department)

File 172-94-19, Resolution No. 576-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Conroy, Leal, Maher, Shelley - 4.

[Contracts, Claims Submission/Reprocessing Services]
Resolution approving the contracts between the City and County of San Francisco, Department of Public Health, and Health Management Systems, Inc. to provide electronic claims submission and retroactive claims reprocessing services. (Department of Public Health)

File 172-94-21, Resolution No. 578-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Conroy, Leal, Maher, Shelley - 4.

Recommendation of Government Efficiency and Labor Committee and Health, Public Safety and Environment Committee

Adopted

[Managed Mental Health Care System]
Resolution endorsing the development of a managed Mental Health Care System in San Francisco. (Department of Public Health)

File 30-94-11, Resolution No. 551-94

(Fiscal Impact.)

(June 14, 1994 - Transferred to Government Efficiency and Labor Committee.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Migden - 7.

Absent: Supervisors Conroy, Leal, Maher, Shelley - 4.

Monday, June 27, 1994

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to proposed sewer service and industrial cost recovery charges to be paid by users for fiscal year 1994-95, pursuant to Articles 4.1 and 4.2 of the Public Works Code.

File 21-94-1

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Dehnert Queen.

From Chief Administrative Officer

Adopted as Amended

[Sewer Service Charges]
Resolution adopting and imposing schedules of sewer service (((and industrial cost recovery))) charges to be paid by users for fiscal year 1994-1995 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code); providing for a severability clause. (Chief Administrative Officer)

File 21-94-1, Resolution No. 540-94

(Exempt from environmental review.)

Supervisor Hsieh, seconded by Supervisor Hallinan, moved an amendment of the whole entitled, "Resolution adopting and imposing schedules of sewer service charges to be paid by users for fiscal year 1994-1995 pursuant to Part II, Chapter X, Articles 4.1 and 4.2 of the San Francisco Municipal Code (Public Works Code); providing for a severability clause."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Conroy, Maher, Shelley - 3.

Appointment of President Pro Tempore

At the request of the President, Supervisor Conroy assumed the Chair.

SPECIAL ORDER 4:00 P.M.

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the proposed Budget and proposed Annual Appropriation Ordinance for fiscal year 1994-95.

File 100-94-1

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Dehnert Queen; J.B. Lewis; Anthony Joffrey; male speaker; David Fisher; Dr. Mark Herbst; David Cummings; Darwin Diaz; female speaker, female speaker; Martha Hawthorne; Jim Lewis, Tony Leoni; Frank Davis; Eric Ferguson; Jack; John, Baker Places; Jim Illig; Eve Myer; Ruth Smith; Tai Favai; male speaker, Acceptance Place; Annette Obvie; Steven; Judith Stevenson; Tony Davidson; Jonathan Henderson; Judith Tenerson; Robert; Phyllis Spanglet; female speaker; female speaker; Yu Qing; female speaker;

Karen Patterson; Jason; Barbara Roth; Gloria LaRiva; Margaret Brodkin; Keneki Walker; Mark Wellborn; Martha Bradigan; Harvey Hall; Kim Valley; Kevin McClaren; Janice; Steven Fields; Susan Rosenthal; Pamela Balls; Jane Schski; Marie Lee; Mike Fletcher; Gail McBride; Dr. Jean Harber; Michelle Aldridge; Tom Vogal; male speaker; Steven Neoni; Rick Pasiairro; Bernadette; Kim Yee Kwong; Greg Cruz; George Wyatt; Russell Hall; Mary Kate Conner; homeless male speaker; female speaker.

From Department of Public Health

Hearing Held

[Public Hearing]
Hearing of all persons interested in or objecting to the proposed elimination and reduction of health care services to indigents provided by the City and County of San Francisco for fiscal year 1994-95. (Department of Public Health)

File 30-94-15

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Dehnert Queen; J.B. Lewis; Anthony Joffrey; male speaker; David Fisher; Dr. Mark Herbst; David Cummings; Darwin Diaz; female speaker, female speaker; Martha Hawthorne; Jim Lewis, Tony Leoni; Frank Davis; Eric Ferguson; Jack; John, Baker Places; Jim Illig; Eve Myer; Ruth Smith; Tai Favai; male speaker, Acceptance Place; Annette Obvie; Steven; Judith Stevenson; Tony Davidson; Jonathan Henderson; Judith Tenerson; Robert; Phyllis Spanglet; female speaker; female speaker; Yu Qing; female speaker; Karen Patterson; Jason; Barbara Roth; Gloria LaRiva; Margaret Brodkin; Keneki Walker; Mark Wellborn; Martha Bradigan; Harvey Hall; Kim Valley; Kevin McClaren; Janice; Steven Fields; Susan Rosenthal; Pamela Balls; Jane Schski; Marie Lee; Mike Fletcher; Gail McBride; Dr. Jean Harber; Michelle Aldridge; Tom Vogal; male speaker; Steven Neoni; Rick Pasiairro; Bernadette; Kim Yee Kwong; Greg Cruz; George Wyatt; Russell Hall; Mary Kate Conner; homeless male speaker; female speaker.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Dehnert Queen, oppose termination of Peninsula Corridor Joint Powers Board;
David Pilpel, support termination of Peninsula Corridor Joint Powers Board;
Female speaker, Geneva Towers;
Louise Vaughn, water at Geneva Towers;
Dolores Scattis, Geneva Towers.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Hallinan requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Appointment, Waive Residency]
Resolution amending Resolution No. 262-94 by waiving the residency requirement for the appointment of Maceo A. May to the Veterans Affairs Commission. (Supervisor Kaufman)

File 092-93-049.02, Resolution No. 561-94

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to amend page two, line 8, by adding the following clause: "WHEREAS, After due diligence the Board of Supervisors concludes that a qualifying San Francisco resident has not been found;".

Motion to amend adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

Supervisor Hsieh requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted as Amended

[Terminate Peninsula Corridor Joint Powers Board]
((Resolution directing the Clerk of the Board to notify the San Mateo County Transportation District and the Santa Clara County Transportation Oistrict of San Francisco's termination of membership on the Peninsula Corridor Joint Powers Board unless there is agreement reached on the Joint Powers Board budget.)) (Supervisor Hsieh)

Resolution directing the Clerk of the Board to notify the San Mateo County Transportation District and the Santa Clara County Transportation District of San Francisco's termination of membership on the Peninsula Corridor Joint Powers agreement with respect to financial commitments for administrative and capital costs.

File 172-94-002.01, Resolution No. 538-94

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Supervisor Hsieh, seconded by Supervisor Bierman, moved an amendment of the whole entitled, "Resolution directing the Clerk of the Board to notify the San Mateo County Transportation District and the Santa Clara County Transportation District of San Francisco's termination of membership on the Peninsula Corridor Joint Powers agreement with respect to financial commitments for administrative and capital costs."

Motion to amend adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend, Girls Against Tobacco Campaign]
Resolution commending the "Girls Against Tobacco Campaign" class for its successful efforts in forcing the removal of a tobacco advertisement from a billboard near Horace Mann Middle School. (Supervisors Alioto, Shelley, Bierman, Kennedy, Hsieh, Leal, Kaufman, Migden)

File 006-94-041, Resolution No. 542-94

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Adopted.

[Commend, Shanti Project]
Resolution congratulating the Shanti Project on its Twentieth Anniversary and recognizing the valuable service the Shanti Project provides to the City and County of San Francisco. (Supervisor Alioto)

File 006-94-042, Resolution No. 543-94

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Adopted.

[Merger of Divisions, Department of Public Health]
Resolution urging the Mayor to urge the Health Commission not to eliminate the Toxic, Health and Safety Services Division. (Supervisors Shelley, Bierman, Hsieh, Hallinan, Kennedy)

File 030-94-012, Resolution No. 613-94

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Adopted.

In connection with the above item, Supervisor Kennedy requested to be added as co-sponsor.

[Treasure Island Building No. 2, Film Production]
Resolution requesting the Redevelopment Agency, pursuant to California Community Redevelopment Law, to take conveyance, by lease or license agreement, of Building Number 2 on Treasure Island for lease or license to a film production company. (Supervisors Alioto, Shelley)

File 161-94-005, Resolution No. 573-94

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Environmental Review]
Resolution urging the City Planning Commission to extend the public comment period for Bayside Discharge Alternatives, EIR 92.531E-SCH3 93032040. (Supervisors Migden, Bierman, Kaufman, Hallinan, Shelley, Alioto)

File 189-94-001, Resolution No. 582-94

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Adopted.

[Street Smarts and Friends]
Resolution supporting the goals of Street Smarts and Friends. (Supervisors Kennedy, Alioto, Shelley)

File 207-94-011, Resolution No. 580-94

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Grant, Special Advocate Grant Program]
Resolution acknowledging the award of a grant by the California Judicial Council to the San Francisco Court Appointed Special Advocates. (Supervisors Shelley, Alioto)

File 275-94-001, Resolution No. 581-94

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Adopted.

[Needle Exchange Emergency Declaration]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the Needle Exchange Program. (Supervisor Alioto)

File 030-94-001.12

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Adopted.

[Final Map Approval]
Motion approving final map of 1426 Taylor Street, a condominium project, being a resubdivision of Lot 24 in Assessor's Block 181, and adopting findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

File 58-94-009

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Adopted.

[Final Map Approval]
Motion approving final map of 145 Broderick Street, a condominium project, being a resubdivision of Lot 4 in Assessor's Block 1236, and adopting findings pursuant to City Planning Code Section 101.1(b). (Department of Public Works)

File 58-94-010

(June 20, 1994 - Introduced in Board for consideration on June 27, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Hallinan requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Adopted as Amended

[June 7, 1994, Election Declaration]
Resolution declaring the results of the Primary Election conducted June 7, 1994, in the City and County of San Francisco. (Registrar of Voters)

File 060-94-011, Resolution No. 539-94

Supervisor Hallinan, seconded by Supervisor Kennedy, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

The Board thereupon resumed its consideration of the following items on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-26, Resolution No. 541-94

(Sue Bierman, member, Board of Supervisors, July 2 - 10; L. Andrew Jeanpierre, member, Airports Commission, June 25 - 30; Patrick A. Murphy, President, Airports Commission, June 22- 23; John E. Newlin, Executive Director, Parking and Traffic, June 29 - July 4, 1994.)

Adopted.

[Viacom Franchise Fee Negotiations]
Motion directing the Clerk of the Board of Supervisors to initiate negotiations with Viacom to develop a proposal to settle all unresolved disputes regarding franchise fee payments, to propose amendments to the franchise to avoid future problems regarding franchise fees and other matters, to consult with various City officials regarding such negotiations and to report to the Board on the progress of these activities within ninety days, and directing the Telecommunications Policy Committee to provide input to the Clerk regarding these negotiations within sixty days. (Supervisor Bierman)

File 032-94-004

Adopted.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt motions making required findings. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

Adopted

[Commend, Volunteers of Visiting Nurses/Hospice]
Resolution commending the Volunteers of Visiting Nurses and Hospice of San Francisco and declaring June 30, 1994 Visiting Nurses and Hospice Volunteers Appreciation Day.

File 006-94-044, Resolution No. 544-94

Supervisors Leal, Migden, Alioto presented for immediate adoption.

[Purely Commendatory Finding]
Motion that the Board find by roll call vote that the resolution being considered at this time is purely commendatory.

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

[Brown Act Finding]
Motion that the Board find there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

Resolution Adopted.

[Grant, District Attorney, Model Office Project]
Resolution authorizing the District Attorney Family Support Bureau to apply for Model Office Project funding in the amount of $517,241 for child support model office project.

File 138-94-009, Resolution No. 545-94

Supervisor Alioto presented on behalf of Supervisors Maher, Alioto for immediate adoption.

[Serious Injury Finding]
Motion that the Board find by roll call vote that for the resolution(s) being considered at this time "the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."

Supervisor Kennedy, seconded by Supervisor Hallinan, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

[Brown Act Finding]
Motion that the Board find there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Kennedy, seconded by Supervisor Bierman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

Resolution Adopted.

The foregoing items on the Imperative Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Shelley - 7.

Absent: Supervisors Alioto, Kaufman, Maher, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Voter Information Pamphlet Materials Exclusion]
Ordinance suspending the requirements of San Francisco Administrative Code Sections 5.79 and 5.80 and any other law requiring the legal text of a measure to be printed in the voter information pamphlet, with respect to any Charter revision measure submitted at the November 8, 1994 election. Supervisor Kaufman presented. Referred to Rules Committee.

File 097-94-001.01.

[Real Property Transfer Tax Increase]
Ordinance amending Part III, Municipal Code, by amending Section 1102 of the Real Property Transfer Tax

Ordinance to increase the tax rate to $5.00 from $2.50 for each $500 of consideration or value of the property conveyed for transfers in which the consideration or value of the property conveyed exceeds $250,000. Supervisor Bierman presented. Referred to Budget Committee with request it be considered at the July 6, 1994 meeting.

File 127-94-005.01.

Reactivated; Referred to Committee

[Responses to Felonies Committed By Youth]
Resolution urging the Mayor to assist the San Francisco Police Department in setting up a serious habitual offender program and to seek funds from the Governor's Office of Criminal Justice Planning. Supervisor Conroy presented. Reactivated pursuant to Board of Supervisors Rule 4.29. Referred to Economic Vitality/Social Policy Committee.

File 207-93-005.

Referred to Board

[Commend, Special Emphasis Victim Assistance]
Resolution commending the Special Emphasis Victim Assistance Program for its work on the Alexis McNeal murder case and urging the Mayor to submit a supplemental appropriation of $107,000 to the fiscal year 1994-95 budget proposal to allow the present staffing levels to continue at the Office of the District Attorney's Special Emphasis Victim Assistance Program. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 5, 1994.

File 006-94-043.

[State Legislation, AB 133, Landmarks]
Resolution opposing enactment of AB 133 (Brown) regarding historical landmarking, which would preempt the City and County of San Francisco's ability to designate landmarks as currently prescribed by local law. Supervisors Alioto, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 5, 1994.

File 012-94-027.

Referred to Committee

[Property Acquisition, 456 McAllister Street]
Resolution approving and authorizing an agreement with the Society of California Pioneers for the purchase of real property located at 456 McAllister Street (including a release and indemnities of the seller contained in such agreement); adopting findings that the purchase is consistent with the City's Master Plan and eight priority policies of City Planning Code Section 101.1; and adopting and incorporating findings pursuant to the California Environmental Quality Act. Supervisor Alioto presented. Referred to Budget Committee with request it be considered at the July 6, 1994 meeting.

File 084-94-002.

[Street Vacation, McAllister/Polk Redwood Streets]
Resolution declaring the intention of the Board of Supervisors to vacate subsurface portions of McAllister, Polk and Redwood Streets adjoining Assessor's Block 766, Lots 2, 3, 4 and 5 and setting the hearing date for all persons interested in the proposed vacation. Supervisor Alioto presented. Referred to Budget Committee with request it be considered at the July 6, 1994 meeting.

File 164-94-001.

[Mortgage Revenue Bonds, 101 Valencia Street]
Resolution authorizing the issuance, sale and delivery of City and County Single Family Mortgage Revenue Bonds, Series 1994 (GNMA and FNMA Mortgage-backed Securities Program), in an aggregate principal amount not to exceed $17,500,000; authorizing the execution and delivery of an indenture, origination, servicing and administration agreement, home mortgage assistance trust agreement, bond purchase contract and official statement; adopting rules and regulations governing the program; authorizing the Mayor, in consultation with the City Attorney to make any necessary or advisable modifications, changes or additions to any of the bond documents and authorizing the execution and delivery of and approving other related documents and actions in connection therewith. Supervisor Shelley presented. Referred to Budget Committee.

File 170-94-014.

[Parking Meter and Street Cleaning Penalties]
Resolution amending the penalties for expired parking meter and street cleaning violations of the San Francisco Traffic Code. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the July 6, 1994 meeting.

File 190-94-004.

Referred to Board

[Martin Luther King Pool]
Resolution urging the Mayor to urge the Recreation and Park Commission to permit youths under the age of fifteen to use the Martin Luther King Pool, located at Carroll and Bayshore Streets, for free; further urging the Mayor to urge the Recreation and Park Commission to keep the Martin Luther King Pool open to the public seven days a week, year around. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar July 5, 1994.

File 193-94-004.

[Workers Compensation Medical Treatment Services]
Resolution urging the Mayor to request that the Employee Retirement Board give due consideration, under pricing and corporate capability criteria, in evaluating any joint venture team including San Francisco General Hospital which responds to the June 1994 request for proposals to provide medical care facilities to treat industrially injured employees of the City and County of San Francisco. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar July 5, 1994.

File 210-94-002.

Referred to Committee

[Treasure Island]
Resolution establishing the policy of the City and County of San Francisco to oppose the transfer of property to the Immigration and Naturalization Service on Treasure Island for purposes of establishing an INS detention center. Supervisors Shelley, Alioto presented. Referred to Select Committee on the Conversion of the Presidio, Hunters Point Naval Shipyard and Treasure Island.

File 244-94-011.

[Final Environmental Impact Report, Courthouse]
Resolution adopting Final Environmental Impact Report, finding and determining that the San Francisco Courts Building project, including approval of an appropriation of funds, property reclassification, property acquisition, street vacation, lot line adjustment, and project financing will have a significant impact on the environment, and adopting and incorporating findings of Final Environmental Impact Report. Supervisor Alioto presented. Referred to Budget Committee with request it be considered at the July 6, 1994 meeting.

File 279-94-001.

[California Environmental Quality Act, Courthouse]
Resolution incorporating by reference findings made by the City Planning Commission and adopting further findings pertaining to the California Environmental Quality Act relating to the approval of an appropriation of funds, property reclassification, property acquisition, street vacation, lot line adjustment and project financing for the San Francisco Courts Building project, as analyzed in the San Francisco Courts Building Final Environmental Impact Report (FEIR) Case No. 93.546E. Supervisor Alioto presented. Referred to Budget Committee with request it be considered at the July 6, 1994 meeting.

File 279-94-002.

[Hold Harmless, Courthouse Construction, Novelact]
Resolution authorizing hold harmless agreements with Novelact (USA) Ltd., pertaining to nuisance claims, property damage or personal injury from construction of the new San Francisco courts building. Supervisor Alioto presented. Referred to Budget Committee with request it be considered at the July 6, 1994 meeting.

File 279-94-003.

[Hold Harmless, Courthouse Construction, Novelact]
Resolution authorizing a hold harmless agreement with Novelact (USA) Ltd., owner of real property at 512 Van Ness Avenue, pertaining to excavation, shoring and other construction activities for the new San Francisco courts building. Supervisor Alioto presented. Referred to Budget Committee with request it be considered at the July 6, 1994 meeting.

File 279-94-004.

[Ballot Measure, Youth Commission]
Charter amendment (Third Draft) adding Section 3.720 to establish a youth commission. Supervisor Alioto presented. Referred to Rules Committee.

File 271-94-001.

[Ballot Measure, Collective Bargaining]
Charter amendment (Second Draft) amending charter by deleting Sections 8.400 (h), 8.401, 8.401-1, 8.407 and 8.407-1 and by amending Sections 8.409, 8.409-1, 8.409-3 and 8.409-4, relating to the compensation and collective bargaining of city employees and officers. Supervisor Shelley presented. Referred to Rules Committee.

File 273-94-001.

Requests for Hearings:

File 207-92-012. [Crime and Violence, Mission District] Hearing to consider the City's response to increased crime and violence in the Mission District. Supervisor Conroy presented. Reactivated pursuant to Board of Supervisors Rule 4.29. Referred to Economic Vitality/Social Policy Committee.

File 007-93-008. [Crimes of Violence on Muni Bus Stops/Rwy Station] Hearing to consider legislation requiring stiff penalties or mandatory penalties on sentences for persons convicted of perpetrating crimes of violence on the Municipal Railway, at bus stops or in railway stations. Supervisor Conroy presented. Reactivated pursuant to Board of Supervisors Rule 4.29. Referred to Economic Vitality/Social Policy Committee.

File 190-93-010. [Clement St Traffic Problems/Outdoor Food Stands] Hearing to consider the traffic problems caused by double parking, illegal parking in yellow zones, debris caused by outdoor food stands along Clement Street. Supervisor Conroy presented. Reactivated pursuant to Board of Supervisors Rule 4.29. Referred to Housing/Land Use Committee.

File 030-94-019. [Health Care Budget, St. Mary's Hospital] Hearing to consider the impact on the City and County's health care budget of St. Mary's Hospital negotiations. Supervisors Shelley, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 188-94-003. [Lakes and Ponds] Hearing to consider the health and environmental quality of the City's lakes and ponds, with a goal of developing a comprehensive plan to insure the health and environmental integrity of lakes and ponds. Supervisors Conroy, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 206-94-003. [Geneva Towers, Health and Safety Issues] Hearing to consider public health and safety issues at Geneva Towers. Supervisors Shelley, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 244-94-012. [Lease, Letterman/Lehr Facility, Presidio] Hearing to consider the status of the leasing of the Letterman/Lehr facility at the Presidio. Supervisor Shelley presented. Referred to Select Committee on Base Conversion for the Presidio, Hunters Point Naval Shipyard and Treasure Island.

File 244-94-013. [Presidio Public Safety] Hearing to consider the issues of public safety concerns for neighborhoods adjacent to the Presidio during the transition from the Army to the National Park Service. Supervisor Shelley presented. Referred to Select Committee on Base Conversion for the Presidio, Hunters Point Naval Shipyard and Treasure Island.

Motions:

Reactivated; Referred to Committee

File 165-93-007. [Management Audit Outpatient Pharmacy at SFGH] Motion instructing the Budget Analyst to conduct a management audit of the Outpatient Pharmacy at San Francisco General Hospital. Supervisor Conroy presented. Reactivated pursuant to Board of Supervisors Rule 4.29. Referred to Health/Public Safety/Environment Committee.

File 207-93-005.02. [Increase in Crimes Committed by Youth] Hearing to consider the increase in crimes committed by youth. Supervisor Conroy presented. Reactivated pursuant to Board of Supervisors Rule 4.29. Referred to Economic Vitality/Social Policy Committee.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 101-93-127. [Appropriation, Fire Department, $90,436] Ordinance appropriating, $90,436, Fire Department, of 1992 Fire Protection Bond interest earnings for capital improvement project (replacement of diesel fuel tank at Station 13), for fiscal year 1994-95. RO #94017 (Controller) Referred to Budget Committee.

File 027-94-010. [Airport, Lease Modification #3, Mexicana Airlines] Ordinance approving Modification No. 3 of Lease and Use Agreement between Mexicana Airlines, Inc., and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 027-94-011. [Airport, Lease Modification #2/Philippine Airlines] Ordinance approving Modification No. 2 of Lease and Use Agreement between Philippine Airlines, Inc. and City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 045-94-039. [Settlement of Litigation, Lidia Linares] Ordinance authorizing settlement of litigation of Linares against the City and County of San Francisco by payment of $9,200. (Superior Court No. 952-337) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-94-040. [Settlement of Litigation, Ramon Navarro] Ordinance authorizing settlement of lawsuit of Ramon Navarro against the City and County of San Francisco by payment of $7,001.28. (Superior Court No. 949-592) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 060-94-012. [Special Election 11/8/94, General Obligation Bonds] Ordinance calling and providing for a Special Election to be held in the City and County of San Francisco on Tuesday, November 8, 1994, for the purpose of submitting to the voters of the City and County of San Francisco propositions to incur the following bonded debts of the City and County of the acquisition, construction, or completion by the City and County of San Francisco of the following municipal improvements; to wit: one hundred ninety-five million six hundred thousand dollars ($195,600,000) for construction and reconstruction of correctional facilities to replace the existing San Bruno Jail facilities; forty-one million seven hundred thirty thousand dollars ($41,730,000) for construction and reconstruction of certain improvements to the Old Main Library; thirty-eight million three hundred fifty thousand dollars ($38,350,000) for construction and reconstruction of certain improvements to City Hall; that the estimated cost to the City and County of San Francisco of said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County of San Francisco and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such municipal improvements; fixing the date of the election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on said and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the Special Election with the General Election; and providing that the election precincts, voting places and officers for election shall be the same as for such General Election. (Chief Administrative Officer) Referred to the Budget Committee.

Resolutions Referred to Committee

File 064-94-012. [Lease of Real Property, 80 Charter Oak] Resolution authorizing a lease of real property at 80 Charter Oak, for the Department of Parking and Traffic. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 130-94-001. [Grant - State, Adult Probation Drug Abatement] Resolution authorizing the Chief Adult Probation Officer of the City and County of San Francisco to apply for, accept and expend funds in the amount of $159,892, which includes indirect costs in the amount of $7,995, based on five percent of the total project, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project." (Adult Probation Department) Referred to Government Efficiency/Labor Committee.

File 138-94-006. [Grant - State, Career Criminal Prosecution Program] Resolution Authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend grant funds in the amount of $236,141 made available through the California Office of Criminal Justice Planning for the operation of the Career Criminal Program for the twelve month period July 1, 1994 through June 30, 1995. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-94-007. [Grant - State, Victim Witness Assistance Program] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of $56,989 available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Witness Assistance Program" for the twelve month period July 1, 1994 through June 30, 1995 and waiving indirect cost due to funding restraints. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-94-008. [Grant - State, Drug Abatement Project] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds in the amount of $280,755 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Drug Abatement Project", for the twelve month period July 1, 1994 through June 30, 1995 and including indirect cost of $14,038. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 172-94-024. [Mutual Aid Agreement, Hetch Hetchy Water/Power] Resolution authorizing the General Manager of Hetch Hetchy Water and Power to join a mutual aid agreement whereby party members help each other in emergency situations. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 172-94-025. [Contract Amendment, Articulated Trolley Coaches] Resolution authorizing the Municipal Railway to modify an existing contract with New Flyer Industries Limited for purchasing articulated trolley coaches. (Also see File 7-90-7, Resolution No. 675-90 and File 94-92-7, Resolution No. 788-92.) (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 194-94-002. [Grant - State, Code Enforcement] Resolution authorizing the City Attorney to apply for, accept and expend $116,247 from the California Department of Justice, Governmental Trust Fund, for the Code Enforcement Section of the City Attorney's Office, waiving indirect costs. (City Attorney) Referred to Government Efficiency/Labor Committee.

Request Granted

There being no objection, the Board directed the Clerk to comply with the following request:

By Supervisors Hallinan, Alioto, that City Attorney draft ordinance which would amend the campaign contribution ordinance to add a cap on contributions made to committees controlled by candidates or officeholders.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Phyllis Shorenstein (By the Entire Board)
Leaser Jones (Supervisor Kennedy)
George Kelsey (Supervisor Kennedy)
George Hunt (Supervisor Migden)

File 2-94-26

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:52 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on July 25, 1994.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Tuesday, July 5, 1994

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 89 Number 27

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Tuesday, July 5, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:29 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Maher, Migden - 7.

Noted absent at first roll call:

Supervisors Bierman, Conroy, Leal, Shelley - 4.

Quorum present.

Supervisor Bierman excused, on official leave of absence.

Supervisor Conroy excused. (See infra.)

Supervisor Leal was noted present at 2:30 p.m.

Supervisor Shelley was noted present at 2:31 p.m.

Supervisor Conroy Excused

The Clerk stated Supervisor Conroy requested to be excused from attending today's meeting.

Supervisor Kennedy, seconded by Supervisor Maher, moved to excuse Supervisor Conroy.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

Presentation of Guests

Supervisor Alioto introduced and welcomed Jessie Williams, Alanna Frick and Joyulyn Bunac, co-creators of the "Girls Against Tobacco" campaign.

COMMUNICATION

The Clerk presented a communication dated July 1, 1994 from the Mayor requesting the Board reconsider its vote on the following three items.

Consideration Continued

[Final Negative Declaration]
Resolution adopting Final Negative Declaration, finding and determining that the amendment of Planning Code Sections 603, 605 and 608 to permit advertising on public service kiosks associated with public toilets, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Supervisors Alioto, Maher, Kennedy)

File 115-93-8.2

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to continue consideration to July 18, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

[Public Toilet Advertising]
Ordinance amending City Planning Code to permit advertising on public service kiosks associated with public toilets and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 115-93-8.2. (Supervisors Alioto, Maher, Kennedy)

File 115-93-8

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to continue consideration to July 18, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

[Automatic Public Toilet Program]
Resolution authorizing the Director of Public Works to enter into an agreement with JCDecaux United Street Furniture, Inc. to provide for the placement of automatic public toilets on public property in San Francisco in exchange for the right to place public service kiosks on public property and to sell advertising on said kiosks; companion measure to Files 115-93-8 and 115-93-8.2. (Supervisors Alioto, Maher, Kennedy)

File 115-93-8.1

Supervisor Kennedy, seconded by Supervisor Hallinan, moved to continue consideration to July 18, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport, Airline Lease/United Air Lines, Inc.]
Ordinance approving the early relinquishment of Lease No. 66-0171, for Plot 1C, between United Air Lines, Inc. and the City and County of San Francisco acting by and through its Airports Commission. (Airports Commission)

File 27-94-8, Ordinance No. 258-94

(Fiscal Impact.)

Finally passed.

[Settlement of Litigation, James Wong]
Ordinance authorizing settlement of litigation of James Wong against the City and County of San Francisco by payment of $35,000. (City Attorney)

File 45-94-31, Ordinance No. 254-94

(Superior Court No. 951-438.)

Finally passed.

[Settlement of Litigation, Jin L. Wu]
Ordinance authorizing settlement of litigation of Wu against the City and County of San Francisco by payment of $8,500. (City Attorney)

File 45-94-32, Ordinance No. 255-94

(Municipal Court No. 67-525.)

Finally passed.

[Settlement of Lawsuit, Wai Fan Chan Lo]
Ordinance authorizing settlement of litigation of Wai Fan Chan Lo and Kenneth Lo against the City and County of San Francisco by payment of $20,000. (City Attorney)

File 45-94-33, Ordinance No. 256-94

(Superior Court No. 951-488.)

Finally passed.

[Settlement of Litigation, Stephanie Allen]
Ordinance authorizing settlement of litigation of Stephanie Allen against the City and County of San Francisco by payment of $20,000. (City Attorney)

File 45-94-34, Ordinance No. 257-94

(Superior Court No. 953-062.)

Finally passed.

[Memorandum of Understanding, Police Officers Association, Local 911]
Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers Association, Local 911, for the ranks of Q-60 Lieutenant, Q-80 Captain, 0460 Police Commission Secretary, 0488 Commander and 0400 Deputy Chief for the period July 1, 1994 through June 30, 1995. (Employee Relations Division)

File 93-94-14, Ordinance No. 259-94

(Fiscal Impact.)

Finally passed.

[Memorandum of Understanding, Police Officers Association, Local 911]
Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Police Officers Association, Local 911, for the ranks of Q-2 Police Officer, Q-20 Police Woman, Q-35 Assistant Inspector, 0308 Inspector, and Q-50 Sergeant for the period July 1, 1994 through June 30, 1995. (Employee Relations Division)

File 93-94-15, Ordinance No. 260-94

(Fiscal Impact.)

Finally passed.

[Memorandum of Understanding, Firefighters Union, Local 798] Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Firefighters Union, Local 798, IAFF, AFL-CIO for the period July 1, 1994 through June 30, 1995. (Employee Relations Division)

File 93-94-16, Ordinance No. 261-94

(Fiscal Impact.)

Finally passed.

Recommendation of Housing and Land Use Committee

Finally Passed

[Street Acceptance]
Ordinance accepting roadway, including curbs, of Twenty-Sixth Street, between Treat Avenue and Harrison Street. (Department of Public Works)

File 9-94-1, Ordinance No. 253-94

Finally passed.

[Advertising on Publicly Owned Property]
Ordinance amending City Planning Code to permit advertising on publicly owned property in an RH-1D District adjacent to a C-2 District provided such advertising faces a C-2 District and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Kaufman)

File 115-94-3, Ordinance No. 262-94

(Amends Section 603.)
(General rule exclusion from environmental review.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Government Efficiency and Labor Committee

Consideration Continued

[Grant - Federal, Homeless Dually Diagnosed]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to retroactively apply for a grant up to the amount of $700,000 which includes indirect costs in the amount of $14,700 which is 2% of the grant application amount from the United States Department of Health and Human Services, Center for Mental Health Services and Center for Substance Abuse Treatment to provide evaluation of the Mental Health and Substance Abuse Service Referral System for the homeless dually diagnosed. (Supervisors Leal, Alioto)

File 146-93-57.2, Resolution No.

(June 27, 1994 - Consideration continued to July 5, 1994.)

Supervisor Leal, seconded by Supervisor Kennedy, moved to continue consideration to July 11, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Adopted

[Reimbursement to Employees]
Resolution authorizing reimbursement for cost of personal property of City and County employees damaged/stolen in the line of duty consisting of 11 claims in the aggregate amount of $523.22. (Government Efficiency and Labor Committee)

File 51-94-1, Resolution No. 589-94

(Fiscal Impact.)

(June 27, 1994 - Consideration continued to July 5, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

NEW BUSINESS

Recommendation of Budget Committee

Passed for Second Reading

[Transient Occupancy Tax]
Ordinance amending Municipal Code to limit certain fiscal year 1994-95 allocations to the amounts allocated in fiscal year 1993-94. (Supervisor Hsieh)

File 127-94-8, Ordinance No.

(Fiscal Impact.)

(Amends Section 515.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

Recommendations of Health, Public Safety and Environment Committee

Adopted

[Agreements]
Resolution designating certain facilities as intensive treatment facilities pursuant to Welfare and Institutions Code Sections 5150 and 5250; and authorizing the Director of Mental Health to enter into agreements with said facilities. (Department of Public Health)

File 30-94-16, Resolution No. 588-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

[Lobos Creek Conservation District]
Resolution ordering and directing the Zoning Administrator, the Superintendent of the Bureau of Building Inspection, and other permit issuing agencies to suspend action on any applications for permits or other land use entitlements, subject to specified exceptions, for property within the Lobos Creek Conservation District as herein defined. (Supervisor Shelley)

File 111-94-1.1, Resolution No. 591-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

[Lobos Creek Conservation District Moratorium]
Resolution imposing Interim Zoning Controls to temporarily prohibit the approval of permits or other land use entitlements, subject to specified exceptions, for property within the Lobos Creek Conservation District as herein defined, for an eighteen month period. (Supervisor Shelley)

File 111-94-1, Resolution No. 590-94

(Exempt from Environmental Review)

Pursuant to City Planning Code Section 306.7, Supervisor Shelley presented a report of the substance of the hearing before the Housing and Land Use Committee.

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Bierman, Conroy - 2.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider an amendment to the San Francisco County Adult Health Care Plan which reinstates Service Area #3 with services provided by the Self Help for the Elderly in an area bounded by the beach, the Presidio, Fulton Avenue and Park Presidio.

File 30-94-14

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Chairperson, Adult Day Health Care; Gay Kaplan; Sue Eisenberg; Dehnert Queen.

Adopted

[Adult Day Health Care Plan]
Resolution authorizing approval of an amendment to the San Francisco County Adult Day Health Care Plan. (Adult Day Health Care Planning Council)

File 30-94-14, Resolution No. 587-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 7.

Absent: Supervisors Bierman, Conroy, Maher, Shelley - 4.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider increasing the Payroll Expense Tax rates from the current level of 1.5% to 1.6% for businesses with total payroll expenses in excess of $166,667 for 1994 and adding Section 1004.19 to increase 1994 business tax rates on gross receipts by a comparable percentage. (Supervisor Hallinan)

File 127-94-3

(A second public hearing as required by State law will be held on August 8, 1994.)

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

David Sapero; Dehnert Queen; Paul Simpson; Lee Corwin; Susan Rosenthal; Patricia Vaughey; Helen; Martin Norton; Seven Cornell; Tom Evans; Jan; Dorothy Conley; Bob Beckley; Ray Surpan; Ms. Sack; Bill Floyd; Pat Christensen; male speaker.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Patricia Vaughey, supporting AB 133, landmarks;
Ray Johnson, Tony Ray's murder;
Louise Vaughn, Geneva Towers;
Garr Tavai Fiatoa, Geneva Towers, rent, job loss;
Ola Kupka, Recreation Center for the Handicapped;
Lucille Peterson, Recreation Center for the Handicapped;
David Sapero, Committee on Jobs;
Dehnert Queen, Feinstein's protection act.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Alioto requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Economic Vitality and Social Policy Committee

[Workers Compensation Medical Treatment Services]
Resolution urging the Mayor to request that the Employee Retirement Board give due consideration, under pricing and corporate capability criteria, in evaluating any joint venture team including San Francisco General Hospital which responds to the June 1994 request for proposals to provide medical care facilities to treat industrially injured employees of the City and County of San Francisco. (Supervisor Leal)

File 210-94-002, Resolution No.

(June 27, 1994 - Introduced in Board for consideration on July 5, 1994.)

At the request of Supervisor Alioto, referred to Economic Vitality and Social Policy Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend, Special Emphasis Victim Assistance]
Resolution commending the Special Emphasis Victim Assistance Program for its work on the Alexis McNeal murder case and urging the Mayor to submit a supplemental appropriation of $107,000 to the fiscal year 1994-95 budget proposal to allow the present staffing levels to continue at the Office of the District Attorney's Special Emphasis Victim Assistance Program. (Supervisor Alioto)

File 006-94-043, Resolution No. 594-94

(June 27, 1994 - Introduced in Board for consideration on July 5, 1994.)

Adopted.

[State Legislation, AB 133, Landmarks]
Resolution opposing enactment of AB 133 (Brown) regarding historical landmarking, which would preempt the City and County of San Francisco's ability to designate landmarks as currently prescribed by local law. (Supervisors Alioto, Bierman, Shelley)

File 012-94-027, Resolution No. 615-94

(June 27, 1994 - Introduced in Board for consideration on July 5, 1994.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Martin Luther King Pool]
Resolution urging the Mayor to urge the Recreation and Park Commission to permit youths under the age of fifteen to use the Martin Luther King Pool, located at Carroll and Bayshore Streets, for free; further urging the Mayor to urge the Recreation and Park Commission to keep the Martin Luther King Pool open to the public seven days a week, year around. (Supervisor Kennedy)

File 193-94-004, Resolution No. 614-94

(June 27, 1994 - Introduced in Board for consideration on July 5, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 7.

Absent: Supervisors Bierman, Conroy, Maher, Shelley - 4.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-27, Resolution No. 592-94

(Willie B. Kennedy, member, Board of Supervisors, July 28 - August 4; August 5 - 13; Lucian R. Blazej, Director, Planning Department, June 24 - July 5; Louise H. Renne, City Attorney, July 2 - 9; Anthony D. Ribera, Chief of Police, July 1 - 10, 1994.)

Adopted.

[Commission on San Francisco's Environment]
Resolution urging the Mayor to include in the 1994 Budget financing for the Commission on San Francisco's Environment. (Supervisors Maher, Shelley)

File 100-94-12, Resolution No. 593-94

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 7.

Absent: Supervisors Bierman, Conroy, Maher, Shelley - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Settlement of Litigation, Schultz vs CCSF]
Ordinance authorizing settlement of litigation of Schultz against the City and County of San Francisco by payment of $70,000. Supervisor Bierman presented. Referred to Government Efficiency/Labor Committee.

File 045-94-042.

[Van Ness Special Use District, Wind Standards]
Ordinance amending City Planning Code Section 243 to provide that the ground level wind standards shall be applied to common usable open space provided in a project and to eliminate the ability to obtain an exception from the requirements. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 115-94-009.

[Press Passes]
Ordinance amending Traffic Code Sections 11.2, 11.3 and 11.4 pertaining to vehicle press parking cards. Supervisor Maher presented. Referred to Housing and Land Use Committee.

File 124-94-003.

Referred to Board

[Proclaim, Women's Equality Day]
Resolution urging the Mayor to declare August 25, 1994 Women's Equality Day in San Francisco. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 11, 1994.

File 004-94-017.

[Commend, Sharon Johnson]
Resolution commending Sharon Johnson for her dedication to the Commission on the Status of Women and to the people of the City and County of San Francisco. Supervisors Conroy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 11, 1994.

File 006-94-045.

[Federal Legislation, HR 2918, Environment]
Resolution urging the Mayor to memorialize the United States Congress urging the passage of H.R. 2918 establishing a National Institute for the Environment. Supervisors Kennedy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 11, 1994.

File 013-94-016.

[Federal Legislation, S. 2238, Discrimination]
Resolution supporting the Employment Non-discrimination Act of 1994 (S. 2238) which would prohibit discrimination in employment on the basis of sexual orientation. Supervisors Alioto, Shelley, Bierman, Hallinan, Hsieh, Kaufman, Leal, Kennedy, Maher presented. Referred to Board for Adoption Without Committee Reference Calendar July 11, 1994.

File 013-94-017.

Referred to Committee

[Acquisition of Property, 23rd/Treat Streets]
Resolution authorizing acquisition of real property identified as Assessor's Block 3639, Lots 5 and 5A (23rd and Treat Streets) for open space purposes (Mission District Park) and adopting findings pursuant to City Planning Code Section 101.1. Supervisor Leal presented. Referred to Budget Committee.

File 084-94-003.

[Van Ness, Wind Conditions]
Resolution urging the Mayor to urge the City Planning Commission to make adverse effect of wind conditions one of the highest criteria for building design and siting in the Civic Center area; formally requesting the State General Services Administration to make considering wind conditions an overriding priority in its design of the new State office building. Supervisor Bierman presented. Referred to Housing and Land Use Committee.

File 115-94-009.01.

Referred to Board

[Reward]
Resolution urging the Mayor to urge the Police Commission to offer an appropriate reward for information leading to the arrest and conviction of the murderer of Anthony (Tony) Ray. Supervisors Leal, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 11, 1994.

File 155-94-004.

Referred to Committee

[Workers' Compensation]
Resolution urging the Retirement Board to provide medical service alternatives for city employees during any labor dispute with a hospital carrying the City and County of San Francisco's workers' compensation contract. Supervisors Alioto, Bierman, Hallinan, Maher, Kennedy, Shelley presented. Referred to Health/Public Safety/Environment Committee.

File 221-94-005.

Called from Committee

[Ballot Measure, Youth Commission]
Charter amendment (Third Draft) adding Section 3.720 to establish a Youth Commission. (Supervisor Alioto) Called from Rules Committee by Supervisor Alioto, with direction to schedule for Board meeting of July 11, 1994.

File 271-94-001.

Requests for Hearings:

[Homeless Families]
Hearing to consider issues affecting homeless families. Supervisors Shelley, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 083-94-007.

[Budget, 1994-95]
Hearing to consider the 1994-95 budget. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the July 6, 1994 meeting.

File 100-94-013.

[Domestic Violence]
Hearing to consider increases in domestic violence in San Francisco. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 207-94-012.

[Chief Probation Officer]
Hearing to consider the due process issues as they relate to the procedures used by the Juvenile Probation Commission and their proposed removal of the Chief Probation Officer and whether there has been any violation of the Brown Act or the Sunshine ordinance. Supervisors Kennedy, Alioto, Hallinan, Migden presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the July 12, 1994 meeting.

File 214-94-006.

[Presidio]
Hearing to consider issues regarding the Presidio. Supervisor Shelley presented. Referred to Select Committee on the Conversion of the Presidio, Hunters Point Naval Shipyard and Treasure Island.

File 244-94-014.

[Final Negative Declaration] Resolution adopting Final Negative Declaration, finding and determining that the amendment of Planning Code Sections 603, 605 and 608 to permit advertising on public service kiosks associated with public toilets, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Supervisors Alioto, Maher, Kennedy) Returned by Mayor requesting reconsideration. Consideration continued to July 18, 1994.

File 115-93-8.2

[Public Toilet Advertising] Ordinance amending City Planning Code to permit advertising on public service kiosks associated with public toilets and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 115-93-8.2. (Supervisors Alioto, Maher, Kennedy) Returned by Mayor requesting reconsideration. Consideration continued to July 18, 1994.

File 115-93-8

[Automatic Public Toilet Program] Resolution authorizing the Director of Public Works to enter into an agreement with JCDecaux United Street Furniture, Inc. to provide for the placement of automatic public toilets on public property in San Francisco in exchange for the right to place public service kiosks on public property and to sell advertising on said kiosks; companion measure to Files 115-93-8 and 115-93-8.2. (Supervisors Alioto, Maher, Kennedy) Returned by Mayor requesting reconsideration. Consideration continued to July 18, 1994.

File 115-93-8.1

Motion

Referred to Board

File 030-94-001.13. [Needle Exchange Emergency] Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 11, 1994.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 027-94-012. [Airport, Lease Modification, United Air Lines, Inc.] Ordinance approving Modification No. 2 Land Lease No. 73-0066 between United Air Lines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission. (Airports Commission) Referred to Government Efficiency/Labor Committee.

File 047-94-008. [Moscone Center Garage, Management Agreement] Ordinance approving form of Moscone Center Garage Management Agreement and bid documents and authorizing Director of Property to request bids for management of Moscone Center Garage using those documents. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 101-94-006. [Appropriation, Fire Department, $2,490,000] Ordinance appropriating $2,490,000, Fire Department, from 1986 Fire Protection System Improvement Bond fund-interest earned to capital improvement project (extension of the auxiliary water supply system) for fiscal year 1994-95. (Controller) Referred to Budget Committee.

Resolutions Referred to Committee

File 025-94-023. [Contract Out, Victim Witness Services] Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract for a lower cost than similar work services performed by City and County employees. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 025-94-024. [Contract Out, Pretrial Diversion Program] Resolution approving the Controller's certification that the Pretrial Diversion Program for the City and County of San Francisco can practically be performed by private contraction at a lower cost for the year commencing July 1, 1994 than if work were performed by City and County employees. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 025-94-025. [Contract Out, Own Recognizance] Resolution approving the Controller's certification that the San Francisco "O.R." Project for the City and County of San Francisco can practically be performed by private contraction at a lower cost for the year commencing July 1, 1994 than if work were performed by City and County employees. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 025-94-026. [Contract Out, Eviction Assistance Program] Resolution approving the Controller's certification that the Eviction Assistance Program for the City and County of San Francisco can practically be performed by private contraction at a lower cost for the year commencing July 1, 1994 than if work were performed by City and County employees. (Sheriff) Referred to Government Efficiency/Labor Committee.

File 030-94-018. [Patient Day Rates for Fiscal Year 1994-95] Resolution fixing patient day rates for services furnished by City and County health care institutions and rescinding Resolution No. 458-93. (Department of Public Health) Referred to Budget Committee.

File 038-94-011. [Gift Acceptance, Ikebana International/Strybing Arboretum] Resolution accepting two gifts valued at $102,059.43, for use by the Recreation and Park Department. (Recreation and Park Department) Referred to Government Efficiency/Labor Committee.

File 060-94-012.01. [Special Election 11/8/94, Sewer Revenue Bonds] Resolution calling and providing for a special revenue bond election to be held in the City and County of San Francisco for the purpose of submitting to the qualified voters of said City and County on November 8, 1994 a proposition of issuing revenue bonds pursuant to Section 7.300 of the Charter of the City and County of San Francisco in the principal amount of $146,075,000 to provide funds for the purpose of acquiring, constructing, improving and financing improvements to the existing sewage treatment and disposal system; consolidating said special revenue bond election with the General Municipal Election to be held on November 8, 1994. (Department of Public Works) Referred to Budget Committee.

File 082-94-006. [Noise Easement Acquisition] Resolution authorizing the acquisition of 871 noise easements in the City of Daly City, 222 noise easements in the City of Pacifica, 750 noise easements in the City of San Bruno, and 1,693 noise easements in the City of South San Francisco as a part of the Airport master plan's memorandum of understanding between the Airport and its neighboring communities. (Real Estate Department) Referred to Budget Committee.

File 132-94-001. [Grant - California Arts Council for FY 94-95] Resolution authorizing the San Francisco Art Commission to apply for, accept and expend $30,000 of California Arts Council funds which provides a network to artists to facilitate live/work space, and for community arts and education, which provides granting, arts education development for programming, technical assistance and publications and resources to community organizations. Arthouse Manager and Arts Education Coordinator are the positions for which partial funding is being requested; two percent indirect cost will be included. (Arts Commission) Referred to Government Efficiency/Labor Committee.

File 146-94-015. [Grant - State/Federal] Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to apply retroactively for a grant up to the amount of $300,000 which excludes indirect costs from the U.S. Department of Health and Human Services/ Substance Abuse and Mental Health Services Administration/Center for Substance Abuse Treatment through the State of California/Department of Alcohol and Drug Programs; waiving indirect costs; providing for ratification of action previously taken. (Also see File 146-93-58.) (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-94-016. [Grant - State, Adolescent Nutrition and Fitness] Resolution authorizing the Department of Public Health, Community Public Health Services to apply for, accept and expend a grant of $10,000, which includes indirect costs in the amount of $1,250, based on 12.5% of direct costs from California Adolescent Nutrition and Fitness Program, for planning a program of action for adolescent nutrition and fitness in the Southeast area of San Francisco (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-94-017. [Grant - State, Legalized Indigent Medical Services] Resolution authorizing the Department of Public Health, Central Administration to accept and expend the fiscal year 1993-94 allocation of up to $750,000, which includes indirect costs of approximately twenty percent of personnel costs, from the State Department of Health Services for Legalized Indigent Medical Assistance (LIMA) funds under the Immigration Reform and Control Act (IRCA); providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 147-94-005. [Grant - State, Chronic/Terminal Illness] Resolution authorizing the San Francisco Public Library to apply for an amount not to exceed $150,000 in funds available through the California State Library from Title I of the (Federal) Library Services and Construction Act for providing volunteer-based library services for homebound chronically and terminally ill San Franciscans for fiscal year 1994/1995; indirect costs are included in these funds. (Public Library) Referred to Government Efficiency/Labor Committee.

File 152-94-002. [Grant - State, Drug Abatement Project] Resolution authorizing retroactively the Sheriff of the City and County of San Francisco to apply for, accept and expend funds in the amount of $54,900 which include indirect costs in the amount of $2,543 based on five percent of the project costs less audit expenses made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Sheriff's Drug Abatement Project." (Sheriff) Referred to Government Efficiency/Labor Committee.

File 172-94-026. [Muni Railway Platform Maintenance Agreement] Resolution approving Transit Shelter and Joint Use Agreement between the City and the Board of Trustees of the California State University. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Hallinan, that City Attorney prepare ordinance to amend the law requiring registration by lobbyists to bring San Francisco's reporting in line with the reporting requirements established by the State of California.

By Supervisor Kennedy, that letter be sent to General Manager, Municipal Railway, transmitting copy of letter from Lakeside Property Owners Association concerning Phase 2 construction at 19th Avenue platform and trackway improvement project and requesting comments on the various safety and beautification concerns cited in the letter.

By Supervisors Kennedy, Alioto, Hallinan, Migden, that letter be sent to the Honorable Juvenile

Probation Commission requesting representative be present at the July 12, 1994 Economic Vitality and Social Policy Committee to address the due process issues as they relate to the procedures used by the Juvenile Probation Commission and their proposed removal of the Chief Probation Officer and whether there has been any violation of the Brown Act or the Sunshine ordinance. File 214-94-6.

By Supervisors Kennedy, Alioto, Hallinan, Migden, that letter be sent to the Honorable Mayor Frank Jordan urging him to urge the Juvenile Probation Commission to take no action until the Board of Supervisors has held its hearing concerning the due process issues as they relate to the procedures used by the Juvenile Probation Commission and their proposed removal of the Chief Probation Officer and whether there has been any violation of the Brown Act or the Sunshine ordinance. File 214-94-6.

By Supervisor Maher, that City Attorney prepare resolution which would support a series of transit policies concerning carpools and vanpools; such as, reserving five percent of parking spaces for the exclusive use of carpools and vanpools, exempt carpool spaces from the 25 percent local parking tax, provide a transit allowance as a mandatory employer paid benefit, provide mandatory transit allowance up to the current level exempt of federal tax by law and support changing federal tax law to raise the limit of the current transit allowance tax exemption from $60/month to $100.

By Supervisor Bierman, that letter of inquiry be sent to the San Francisco County Transportation Authority to determine the feasibility of capitalizing public toilets through the Authority.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Ralph P. Ascoli (Supervisor Alioto)
Cellosea Lawrence (Supervisor Kennedy)
Leonidas Jackson (Supervisor Kennedy)
Donald Disler (By the entire Board)
Billy West (Supervisor Migden)
Ellen Campodonico (Supervisor Leal)

File 2-94-27

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:02 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 1, 1994.

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Monday, July 11, 1994

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 89 Number 28

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 11, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:16 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Noted absent at first roll call:

Supervisors Conroy, Kennedy, Maher, Shelley - 4.

Quorum present.

Supervisor Conroy was noted present at 2:22 p.m.

Supervisor Kennedy was noted present at 2:22 p.m.

Supervisor Maher was noted present at 2:20 p.m.

Supervisor Shelley was noted present at 2:20 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hsieh, seconded by Supervisor Migden, moved that the Journal of Proceedings for Monday, June 13, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden - 7.

Absent: Supervisors Conroy, Kennedy, Maher, Shelley - 4.

Presentation of Guests

Supervisor Leal introduced and welcomed a group of young women from the Mission Girls YWCA who are present today to observe city government in action.

CONSENT CALENDAR

Recommendation of Budget Committee

Finally Passed

[Transient Occupancy Tax]
Ordinance amending Municipal Code to limit certain fiscal year 1994-95 allocations to the amounts allocated in fiscal year 1993-94. (Supervisor Hsieh)

File 127-94-8, Ordinance No. 263-94

(Fiscal Impact.)

(Amends Section 515.)

Finally passed.

Adopted

[Gift Acceptance, Grave Sites]
Resolution accepting gift from Skylawn Memorial Park of 64 grave sites, and related services, valued in an amount in excess of $217,000 and thanking Skylawn Memorial Park for its gift. (Supervisor Migden)

File 38-94-8, Resolution No. 603-94

Adopted.

[Gift Acceptance, Burial Vaults]
Resolution accepting gift from Christy Vault Company of 45 burial vaults, valued in an amount in excess of $10,000 and thanking Christy Vault Company for its gift. (Supervisor Migden)

File 38-94-9, Resolution No. 604-94

Adopted.

[Gift Acceptance, Burial Caskets]
Resolution accepting gift from McAvoy O'Hara Company and Evergreen Mortuary of ten burial caskets and related services, valued in an amount in excess of $10,000 and thanking McAvoy O'Hara Company and Evergreen Mortuary for their gift. (Supervisor Migden)

File 38-94-10, Resolution No. 605-94

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Conroy, Kennedy - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Housing and Land Use Committee

Rereferred to Committee

[Williams Building]
Resolution urging the Redevelopment Agency to retain the Williams Building; to ensure that temporary work now does not reduce the feasibility of future rehabilitation; create a program to assist the seismic retrofit of architecturally/historically significant unreinforced masonry buildings; and to demonstrate good faith to the 1984 agreement between the federal government and the City and County. (Supervisors Maher, Bierman, Alioto, Migden)

File 161-93-10, Resolution No.

(May 31, 1994 - Consideration continued to July 11, 1994.)

Supervisor Maher, seconded by Supervisor Bierman, moved to rerefer to Committee.

Motion to rerefer adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher - 9.

Absent: Supervisors Migden, Shelley - 2.

In connection with the above item, Supervisors Alioto, Migden requested to be added as co-sponsors.

Recommendation of Government Efficiency and Labor Committee

Referred to Health, Public Safety and Environment Committee

[Grant - Federal, Homeless Dually Diagnosed]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to retroactively apply for a grant up to the amount of $700,000 which includes indirect costs in the amount of $14,700 which is 2% of the grant application amount from the United States Department of Health and Human Services, Center for Mental Health Services and Center for Substance Abuse Treatment to provide evaluation of the Mental Health and Substance Abuse Service Referral System for the homeless dually diagnosed. (Supervisors Leal, Alioto)

File 146-93-57.2, Resolution No.

(July 5, 1994 - Consideration continued to July 11, 1994.)

Supervisor Leal, seconded by Supervisor Kaufman, moved to refer to Health, Public Safety and Environment Committee.

Motion to refer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

NEW BUSINESS

Recommendations of Budget Committee

Consideration Continued

[Annual Budget]
Annual Budget for the City and County of San Francisco for fiscal 1994-95. (Mayor)

File 100-94-1

(Administrative Code Section 3.5 provides the Board shall adopt the Budget not earlier than July 15, 1994 nor later than July 26, 1994.)

BUDGET STATEMENT TO THE BOARD OF SUPERVISORS
ON BEHALF OF THE BUDGET COMMITTEE
BY SUPERVISOR TOM HSIEH
CHAIR OF THE BUDGET COMMITTEE

July 11, 1994

The Budget Committee, consisting of President Angela Alioto, Vice-Chair, Supervisor Sue Bierman and the undersigned, present to the Board of Supervisors its recommended budget for the City and County of San Francisco for Fiscal Year 1994-95. The budget as presented today contains a $10 million General Fund Reserve and a $1.6 million surplus.

GENERAL FUND REVENUE SHORTFALL

The City was faced with a General Fund revenue shortfall, amounting to an estimated $98.9 million, as the 1994-95 budget development process began. This projected shortfall was addressed by the Mayor through a combination of increased revenues and decreased expenditures, and the Mayor's recommended budget was submitted to the Board of Supervisors on June 1, 1994. The Mayor's recommended budget also provided for increased hiring of uniformed Police Officers in order to meet the anticipated mandates of Proposition D, which requires a full staffing level of 1,971 Police Officers by June, 1995.

However, within days of the Mayor's budget submission, the budget was no longer in balance because voters also approved Proposition E, the Library Preservation Fund Charter Amendment. Under Proposition E, the Controller initially estimated that the City was required to appropriate an additional $13.9 million for the Library. The Budget Committee noted that the Mayor's recommended budget, upon submission to the Board of Supervisors, had not provided for a contingency plan to address that $13.9 million shortfall for the Library.

As discussed in more detail below, at the specific urging of the Budget Committee, the Mayor agreed to cooperate and work with the Committee in order to formulate a plan to address various existing budgetary shortfalls, including the Library shortfall, for purposes of fully balancing the City's Fiscal Year 1994-95 budget. The estimated shortfall is $20.9 million, excluding most of the impact of the State budget.

ZERO-BASE BUDGET ANALYSIS

Our job of attempting to further cut the Mayor's recommended budget for Fiscal Year 1994-95 was unusually difficult because of the reductions already made in the budget. In that regard, I had previously initiated, with the support of the Budget Committee, the Board of Supervisors, and the Mayor, the undertaking of a Zero-Base Budget Analysis by our Budget Analyst. That analysis, which I oversaw, was accomplished with the cooperation of the Mayor and the Mayor's Budget Director, was extremely successful. As a result, the Mayor accepted an estimated $15.9 million of the Budget Analyst's Zero-Base recommended budget reductions. Those recommendations were implemented in the Mayor's recommended Fiscal Year 1994-95 budget submitted to the Board of Supervisors on June 1. Thus, as I previously indicated, cutting the budget even further, without impacting service levels, was very difficult.

The Zero-Base Budget Analysis represents a new approach to budgeting in San Francisco. All major General Fund departments were evaluated not only on an expenditure and revenue basis, but also on a programmatic basis. I strongly believe that this approach allows for improved budget decision-making in that the relationship between costs and outcomes can be more readily assessed. It is my intention to have such a Zero-Base Budget Analysis conducted each year. The results of the analysis accomplished this year speak for themselves.

OVERALL RESULTS OF THE COMMITTEE'S BUDGET REVIEW

The Committee has meticulously examined every line item expenditure contained in the Mayor's recommended budget in order to identify expenditures which could be reduced without reducing any services. Cuts which the Committee made can be used to reduce the aforementioned shortfall which totals $21.0 million.

The budget submitted by the Budget Committee includes total reductions of approximately $14.1 million (excluding reductions made to the budget of the Redevelopment Agency) from the budget submitted by the Mayor.

Of the $14.1 million in net budget reductions, approximately $5.4 million, including a capital improvement project reductions of $1.5 million, is from General Fund appropriations. Additionally, the budget, as recommended by the Budget Committee, includes reserves on appropriations of approximately $7.4 million. These reserves will be released, and expenditures allowed, only after further information is submitted to the Committee.

Also, the Committee has identified funds to maintain programs that were not included in the Mayor's original budget. The Committee restored programs such as the Center for Special Problems for six months of operation. This program treats over 350 violent offenders per year. The Committee concurs with plans of the Department of Public Health to sustain continued operation of the Southeast and Potrero Hill Health Centers' preventive and acute dental services to approximately 1,900 children and adults for one month, and the continuation for one month of operations for Community Substance Abuse programs, while additional funding is sought from Federal sources.

PLAN TO RESOLVE BUDGETARY SHORTFALL

Initially the Mayor had submitted a list of options, to address the $20.9 million in budgetary shortfalls, which primarily consisted of further budget and related service level reductions such as a $6.1 million cut to Adult Mental Health services and a reduction of $6.0 million in General Assistance payments. However, the Committee has recommended a specific plan, including revenue measures, to resolve the expected budgetary shortfall of $20.9 million without including the Mental Health cuts or a General Assistance payment reduction. This $20.9 million shortfall represents the amount of funds which we know that we need at this time.

In order to address the budgetary shortfall of $20.9 million as identified by the Committee, the Committee recommends additional revenue by increasing the Real Property Transfer Tax from $5.00 to $10.00 per thousand for properties over $250,000, which will produce $9.6 million in 1994-95, and increased Parking Fines for street cleaning and parking meter violations (from $20 to $25 per violation) to generate an additional $2.6 million. The Committee is hopeful that the Mayor will in fact cooperate with the Committee in order to implement any revenue measures necessary to balance the City's Fiscal Year 1994-95 budget, without further jeopardizing the level of services provided to our citizens.

Additionally, the Committee recommends a reduction in Capital Appropriations of $1.5 million, which will be partially offset by increased Community Development Block Grant (CDBG) funding for American's With Disability Act (ADA) projects. Also, we recommend that the San Francisco Housing Authority provide a 1994-95 Payment in Lieu of Taxes (PILOT) to the General Fund of $600,000. The Committee is continuing its deliberations on this matter with the San Francisco Housing Authority on its outstanding PILOT payments owed to the City from previous years.

Through the outstanding work of the Controller, it was determined that the text of Proposition E, regarding the baseline funding requirement for the Library, is indexed to 1992-93 General Fund appropriations. Due to actual reductions in the level of General Fund appropriations since 1992-93, primarily because of State mandated shifts of property tax revenue to School Districts, the Controller has determined that the baseline Library funding requirement has been reduced from an expected 1994-95 level of approximately $21.0 million to $17.0 million. This reduction in the baseline requirement results in a $4.0 million General Fund savings.

Lastly, as previously noted, the Committee has identified approximately $5.4 million in General Fund reductions, including $3.9 million recommended by the Budget Analyst, that can be applied to the estimated shortfall. The table below summarizes the items that comprise the $20.9 million shortfall and the Committee's proposed sources of funding to overcome the funding gap.

Budget Committee's Plan to Balance the 1994-95 Budget

Funding Gap	(Shortfall)	Sources of Funds to Overcome Shortfall	
Proposition E	$13.9	Increase Real Property Transfer Tax	$9.7
Funding for CalTrain Joint Powers Authority *	3.1	Increase Parking Fines	2.7
Restoration of General Fund Reserve to $10 million *	1.4	Reduce Capital Appropriations	1.5
Muni - State Transit Assistance Reduction	2.0	Housing Authority * Payment in Lieu of Taxes (PILOT) 1994-95	0.6
Mayor's Budget Adjustments to fund Clerical Errors	0.5	Proposition E - Library Baseline Budget Reduction	4.0
		General Fund Reductions Recommended by the Budget Committee	4.0
Total Shortfall	$20.9	Total Recommended Sources	$22.5

* These items are discussed further in subsequent sections of the budget message.

The Committee's plan would result in a surplus of an estimated $1.6 million which would be maintained, pending final determination of the impact of the State budget on San Francisco's budget.

The Committee is submitting its recommended budget, including the measures outlined above to bridge the present funding gap, to the Board of Supervisors for consideration on July 18th and adoption on July 25th. Pursuant to the Administrative Code, the Board shall adopt a budget no later than July 26.

The final State budget will impact San Francisco. The impact will primarily affect State-funded health programs. This State cut is tentatively estimated to be approximately $14.0 million. The Committee is very concerned about the severe impact this cut could have on health-related services and recognizes that further action may be necessary when the precise impacts of the final State budget are known. In the next few days, the Committee stands ready to work with the Mayor, each member of the Board of Supervisors and the Department of Public Health to minimize the effect these State cuts will have on our people.

COMPARATIVE BUDGET DATA

The 1993-94 budget, as finally adopted by the Mayor and the Board of Supervisors, was $2.736 billion. The 1994-95 budget of $2.784 billion (including budget adjustments) recommended by the Mayor results in an increase of approximately $48 million from the finally adopted 1993-94 budget. The recommendations of the Budget Committee for the 1994-95 City and County budget are summarized as follows:

Mayor's Recommended Adjusted 1994-95 Budget Excluding Reserves	$2,784,000,000
Budget Committee's Recommended Reductions (net of Redevelopment Agency reductions)	(14,000,000)
Budget Committee's Recommended 1994-95 Budget	$2,770,000,000

Specific recommended reductions of the Budget Committee have been provided separately to the Board of Supervisors. The effect of these recommendations on each City and County department's budget is shown in the Attachment to the complete budget message. (The above information is only a portion of the budget message. A copy of the entire budget message is contained in the files in the office of the Clerk of the Board of Supervisors.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to continue consideration to July 18, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

[Annual Appropriation Ordinance, fiscal year 1994-95]
Ordinance appropriating all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1995. (Mayor)

File 101-94-2, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to continue consideration to July 18, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

[Annual Salary Ordinance]
Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1995, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof. (Civil Service Commission)

File 102-94-2, Ordinance No.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to continue consideration to July 18, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

Passed for Second Reading

[Appropriation, CAO, $222,000]

Ordinance appropriating $222,000 Chief Administrative Officer, of seismic safety loan funds for bond issuance costs (legal and consulting services) related to the Seismic Safety Loan Program for fiscal year 1994-95. (Controller)

File 101-93-124, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

[Special Election 11/8/94, General Obligation Bonds]
Ordinance calling and providing for a Special Election to be held in the City and County of San Francisco on Tuesday, November 8, 1994, for the purpose of submitting to the voters of the City and County of San Francisco propositions to incur the following bonded debts of the City and County of the acquisition, construction, or completion by the City and County of San Francisco of the following municipal improvements, to wit: one hundred ninety-five million six hundred thousand dollars ($195,600,000) for construction and reconstruction of correctional facilities to replace the existing San Bruno Jail facilities; forty-one million seven hundred thirty thousand dollars ($41,730,000) for construction and reconstruction of certain improvements to the Old Main Library; thirty-eight million three hundred fifty thousand dollars ($38,350,000) for construction and reconstruction of certain improvements to City Hall; that the estimated cost to the City and County of San Francisco of said municipal improvements is and will be too great to be paid out of the ordinary annual income and

revenue of the City and County of San Francisco and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such municipal improvements; fixing the date of the election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on said bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the Special Election with the General Election; and providing that the election precincts, voting places and officers for election shall be the same as for such General Election. (Supervisor Alioto)

File 60-94-12, Ordinance.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

[General Assistance Terminal Illness Exemption]
Ordinance amending Administrative Code, relating to eligibility of individuals who are terminally ill; ratifying and affirming the provisions of General Assistance to all terminally ill individuals for whom the General Manager of the Department of Social Services has previously approved aid. (Supervisors Leal, Alioto, Bierman, Hsieh, Migden)

File 97-94-22, Ordinance No.

(Fiscal Impact.)

(Adds Section 20.56.14.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

Adopted

[24th Street Program Redevelopment Agency Budget]
Resolution approving an amendment to the Budget of the Redevelopment Agency for Fiscal Year 1991-92 to allow funding projects other than property acquisition, business loans and public space improvements from the one million dollar 24th Street Revitalization Program allocation in amounts to be determined by the Agency and requiring the Agency to report to the Board of Supervisors the uses of the unspent remaining funds. (Supervisors Shelley, Leal, Alioto, Hsieh)

File 161-91-3.2, Resolution No. 612-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Conroy - 1.

[Emergency Repair, Laguna Honda Hospital Generator]
Resolution approving payment for the emergency repair of the generator at Laguna Honda Hospital. (Supervisor Alioto)

File 28-94-12, Resolution No. 602-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Conroy, Shelley - 2.

[Sutter-Stockton Garage Rate Change]

Resolution approving the elimination of the Early Bird Rate at the Sutter-Stockton Garage; and providing for a six-month status report from Uptown Parking Corporation to Parking and Traffic Department. (Department of Parking and Traffic)

File 47-94-7, Resolution No. 606-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Conroy, Shelley - 2.

[Noise Easements, Add 36/Delete 3, South S.F.]
Resolution authorizing the acquisition of 36 additional noise easements and the deletion of 3 noise easements in the City of South San Francisco in their Phase VIII Program. (Airports Commission)

File 82-94-5, Resolution No. 607-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Conroy, Shelley - 2.

[Disposal of Vintage Equipment at Pier 72]
Resolution approving the Municipal Railway's request to declare surplus, with the intent to turn over to the City Purchaser for disposal, up to 37 Presidents' Conference Cars, otherwise known as PCCs, 4 California type Cable Cars, and 6 Obsolete Motor Coaches, through the Public Utilities Commission Resolution No. 94-0034. (Supervisors Leal, Alioto)

File 96-94-2, Resolution No. 610-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Conroy, Shelley - 2.

Rereferred to Budget Committee

[Redevelopment Agency Budget and Bonds]
Resolution approving the budget of the Redevelopment Agency of the City and County for fiscal year 1994-95; and approving the issuance by the Agency of bonds in an aggregate principal amount not to exceed $25,850,000 for the purpose of financing Redevelopment activities in fiscal year 1994-1995. (Redevelopment Agency)

File 161-94-4, Resolution No.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to rerefer to the Budget Committee.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

<u>From Budget Committee Without Recommendation</u>

Passed for Second Reading

[Firearms and Ammunition Business Tax]
Ordinance amending Part III of the Municipal Code, to make technical changes and to change the effective date of recent changes affecting businesses selling firearms and ammunition from January 1, 1994 to January 1, 1995. (Supervisor Migden)

File 127-94-1.1, Ordinance No.

(Fiscal Impact.)

(Amends Section 905-A of Article 12A and Sections 1003, 1004.17, 1004.18 and 1005.3 of Article 12-B.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Noes: Supervisor Alioto - 1.

Absent: Supervisors Conroy, Shelley - 2.

Consideration Continued

[Parking Meter and Street Cleaning Penalties]
Resolution amending the penalties for expired parking meter and street cleaning violations of the San Francisco Traffic Code. (Supervisor Hsieh)

File 190-94-4, Resolution No.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to continue consideration to July 18, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution appointing member to the Advisory Committee on Adult Detention, for the unexpired portion of the four-year term ending June 30, 1995. (Rules Committee)

File 92-91-21, Resolution No. 609-94

(David M. Bidwell, vice John K. Irwin, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Conroy, Shelley - 2.

[Appointment]
Resolution appointing member to the Veterans Affairs Commission for the unexpired portion of the four-year term ending January 31, 1996 and making findings waiving residency requirement. (Rules Committee)

File 92-91-18, Resolution No. 608-94

(Noble Fields, vice George Gibbs, (Category 6) resigned, term expired.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Conroy, Shelley - 2.

Called From Rules Committee by Supervisor Alioto

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a

referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Consideration Continued

[Ballot Measure, Youth Commission]
Charter amendment (Third Draft) adding Section 3.720 to establish a Youth Commission. (Supervisors Alioto, Shelley, Hallinan, Hsieh, Bierman, Kennedy)

File 271-94-1

Supervisor Kennedy, seconded by Supervisor Bierman, moved to continue consideration to July 18, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Shelley, Hallinan, Hsieh, Bierman, Kennedy requested to be added as co-sponsors.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing appealing decision of the City Planning Commission by its Motion No. 13672, dated April 21, 1994, approving Conditional Use Application No. 93.271C, for conditional use authorization to create two new lots with less than 25 feet of width in an RH-1 (House, One-Family) District and a 40-X Height and Bulk District of property located at 8028 Geary Boulevard.

File 37-94-4

(Categorically exempt from Environmental Review Status.)

(Filed May 23, 1994.)

(June 13, 1994 - Consideration continued to July 11, 1994.)

The following persons were sworn in and granted privilege of the floor:

Appellants:

Mr. O. C. Jacobs; Claudia Martinez; Rita Specker; Christa Lopp.

Respondents:

Robert Passmore, representing City Planning Commission and Department of City Planning; Nancy Lenvin.

There being no one else present wishing to speak, the President declared the hearing closed.

(Only one of the following two motions should be adopted.)

No Action Taken; Filed

[Zoning Appeal]
Motion approving decision of the City Planning Commission by its Motion No. 13672, approving Conditional Use Application No. 93.271C, of property located at 8028 Geary Boulevard, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-94-4.1

(June 13, 1994 - Consideration continued to July 11, 1994.)

(The effect of Board taking no action is to uphold decision of the City Planning Commission.)

Supervisor Hsieh, seconded by Supervisor Kaufman, moved adoption.

After a period of debate, there being no objection, Supervisor Hsieh withdrew the motion.

The Board took no action on this item; filed.

Refused Adoption

[Zoning Appeal]
Motion disapproving decision of the City Planning Commission by its Motion No. 13672, approving Conditional Use Application No. 93.271C, of property located at 8028 Geary Boulevard, and adopting findings pursuant to City Planning Code Section 101.1.

File 37-94-4.2

(June 13, 1994 - Consideration continued to July 11, 1994.)

Supervisor Kennedy, seconded by Supervisor Bierman, moved adoption.

Motion refused adoption by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kennedy, Migden, Shelley - 6.

Noes: Supervisors Conroy, Hsieh, Kaufman, Leal, Maher - 5.

No Action Taken; Filed

[Findings]
Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 93.271C of property located at 8028 Geary Boulevard, for action by the Board at its next meeting.

File 37-94-4.3

(June 13, 1994 - Consideration continued to July 11, 1994.)

(The effect of Board taking no action is to uphold decision of the City Planning Commission.)

The Board took no action on this item; filed.

SPECIAL ORDER 3:00 P.M.

Hearing Held: Consideration Continued

[Public Hearing]
Hearing of persons interested in or objecting to approving a change in the boundary lines of the City and County of San Francisco to remove certain portions of Angel Island known as East Garrison and Point Blunt from the City and County of San Francisco and place all of Angel Island within Marin County and to make technical changes in said boundary lines at Red Rock to place all of Red Rock in San Francisco and Contra Costa Counties; and adopting findings that the boundary change is consistent with the City's master plan and eight priority policies of City Planning Code Section 101.1.

File 199-94-2

(After the testimony on July 11, 1994, the Board of Supervisors does not intend to conclude the hearing, but may continue the hearing as provided in Government Code Section 23208.)

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Honorable Karen Nygren, Tiburon Mayor;
Honorable Robert L. Kleinert, Tiburon Town Manager;
Honorable Rufus Thayer, Tiburon Councilmember and former Mayor;
Lee Meyerzove, oppose;

Dehnert Queen, oppose.

Motion Adopted

After a period of discussion, Supervisor Kennedy, seconded by Supervisor Bierman, moved that the Clerk be directed to prepare a motion for action by the Board at its next meeting to file a written protest and directed the Clerk to prepare a resolution abandoning the proceedings.

Before the vote was taken, the Mayor of Tiburon indicated they wish to withdraw the request.

The roll was then called and motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Conroy, Shelley - 2.

Supervisor Leal, seconded by Supervisor Kennedy, moved to continue consideration to July 25, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Conroy, Shelley - 2.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Frederick McClure, HIV Vigil, United Nations Plaza;
Gary Johnson, ARC-AIDS Vigil;
Dehnert Queen, Giants, Mission Bay, needle exchange;
Kathy Perry, reception;
Mr. Martinez, food stamp, caretaker job.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Proclaim, Women's Equality Day]
Resolution urging the Mayor to declare August 25, 1994 Women's Equality Day in San Francisco. (Supervisors Shelley, Alioto, Leal, Migden, Bierman)

File 004-94-017, Resolution No. 598-94

(July 5, 1994 - Introduced in Board for consideration on July 11, 1994.)

Adopted.

In connection with the above item, Supervisors Migden, Bierman requested to be added as co-sponsors.

[Commend, Sharon Johnson]
Resolution commending Sharon Johnson for her dedication to the Commission on the Status of Women and to the people of the City and County of San Francisco. (Supervisors Conroy, Hsieh, Alioto, Leal, Migden, Bierman)

File 006-94-045, Resolution No. 599-94

(July 5, 1994 - Introduced in Board for consideration on July 11, 1994.)

Adopted.

In connection with the above item, Supervisors Migden, Bierman requested to be added as co-sponsors.

[Federal Legislation, HR 2918, Environment]
Resolution urging the Mayor to memorialize the United States Congress urging the passage of H.R. 2918 establishing a National Institute for the Environment. (Supervisors Kennedy, Alioto, Bierman)

File 013-94-016, Resolution No. 600-94

(July 5, 1994 - Introduced in Board for consideration on July 11, 1994.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Federal Legislation, S. 2238, Discrimination]
Resolution supporting the Employment Non-discrimination Act of 1994 (S. 2238) which would prohibit discrimination in employment on the basis of sexual orientation. (Supervisors Alioto, Shelley, Bierman, Hallinan, Hsieh, Kaufman, Leal, Kennedy, Maher, Migden, Conroy)

File 013-94-017, Resolution No. 601-94

(July 5, 1994 - Introduced in Board for consideration on July 11, 1994.)

Adopted.

In connection with the above item, Supervisors Migden, Conroy requested to be added as co-sponsors.

[Reward]
Resolution urging the Mayor to urge the Police Commission to offer an appropriate reward for information leading to the arrest and conviction of the murderer of Anthony (Tony) Ray. (Supervisors Leal, Alioto, Bierman)

File 155-94-004, Resolution No. 611-94

(July 5, 1994 - Introduced in Board for consideration on July 11, 1994.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman)

File 030-94-001.13

(July 5, 1994 - Introduced in Board for consideration on July 11, 1994.)

Adopted.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Condominium Project]
Motion approving final map of 2238-2240 Union Street, a condominium project, being a resubdivision of Lot 13 in Assessor's Block 534; and adopting findings pursuant to City Planning Code Section 101.1. (Department of City Planning)

File 58-94-11

(June 27, 1994 - Introduced in Board for consideration on July 11, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 7.

Absent: Supervisors Alioto, Conroy, Maher, Shelley - 4.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-28, Resolution No. 586-94

(Jeanette Lazam, member, Human Rights Commission, July 17 - 25, August 5 - 8 and August 15 - 31; John L. Molinari, President, Parking and Traffic Commission, August 8 - 22 and November 19 - 27; John L. Taylor, Clerk of the Board, July 29 - 31; L.A. Turpen, Director of Airports, November 4 - 13, 1994.)

Adopted.

The foregoing item on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden - 7.

Absent: Supervisors Alioto, Conroy, Maher, Shelley - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Commission on Youth]
Ordinance amending Administrative Code by adding Sections 5.55 to 5.55-3, providing for the interpretation, implementation and administration of Charter Section 3.720 that established the Commission on Youth. Supervisors Alioto, Shelley, Hallinan, Hsieh, Bierman, Kennedy presented. Referred to Budget Committee.

File 097-94-048.

[Press Passes]
Substitute ordinance amending the Traffic Code by amending Sections 11.2, 11.3 and 11.4 relating to vehicle press parking cards. Supervisor Maher presented. Referred to Housing/Land Use Committee.

File 124-94-003.

[Employee License Fee]
Draft ordinance amending Part III, Municipal Code, by adding Article 12-E (Employee License Fee Ordinance) to impose a license fee of one percent (1%) of compensation on employees performing work or rendering services within San Francisco; setting operative date. Supervisor Kennedy presented. Referred to Budget Committee.

File 127-94-009.

Referred to Board

[Late Night On Haight Street Celebration]
Resolution urging San Franciscans and visitors to San Francisco to participate in the Late Night On Haight Street celebrations that will mark the dawn of a "new beginning" for the Haight Street Merchants

Association and other Haight Neighborhood Associations. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 18, 1994.

File 004-94-018.

[14th Annual Comedy Day in Golden Gate Park]
Resolution declaring July 24, 1994 as the 14th Annual Comedy Celebration Day in Golden Gate Park. Supervisors Maher, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 18, 1994.

File 004-94-019.

[Treasure Island, Building Number 180]
Resolution requesting the Redevelopment Agency of the City and County of San Francisco, pursuant to the California Community Redevelopment Law, to take conveyance, by lease or license agreement, of Building Number 180 on Treasure Island for lease or license to a film production company. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 18, 1994.

File 161-94-005.01.

[Elderly Victims of Domestic Violence]
Resolution supporting the San Francisco Consortium for Elder Abuse in their efforts to seek new funding and resources from the Administration on Aging U.S. Department of Health and Human Services to strengthen services for elderly victims of domestic violence and urging his Honor, the Mayor, to use his office to convince the Administration on Aging to grant their proposal request of $200,000 to implement recommendations of the Elder Abuse Task Force. Supervisors Kennedy, Migden, Hsieh, Bierman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 18, 1994.

File 217-94-004.

Requests for Hearings:

[Airport Construction Labor Agreements]
Hearing to consider the most recent proposed project agreements between the Airport Commission and the San Mateo Building and Construction Trades Council and the Master Agreements (Memoranda of Understanding) between the San Mateo Building and Construction Trades Council and construction contractors. Supervisors Hallinan, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 027-94-013.

[False Claims]
Hearing to consider enacting legislation concerning false claims. Supervisor Maher presented. Referred to Economic Vitality/Social Policy Committee.

File 097-94-046.01.

[Contractors Parking Permits, Pest Control Firms]
Hearing to consider amending the Traffic Code to include pest control companies within the definition of contractors and to allow them to purchase contractor's parking permits. Supervisor Alioto presented. Referred to Budget Committee.

File 124-94-007.

[Penalty Fee for Towed Car]
Hearing to consider the Department of Parking and Traffic's increase of the penalty fee for towed car from $110 to $120. Supervisor Kennedy presented. Referred to Budget Committee.

File 124-94-008.01.

Motions:

Referred to Board

[Authorize Controller to Adjust 1994-95 Budget]
Motion authorizing the Controller to adjust interdepartmental appropriations, make transfers to correct objects of expenditure classifications and to correct clerical or computational errors as may be

ascertained by the Controller to exist in the 1994-95 Annual Budget as adopted by the Board of Supervisors and directing the Clerk of the Board to notify the Controller. Supervisor Hsieh presented. Referred to Board for consideration with the Annual Budget on July 18, 1994.

File 101-94-002.01.

[Funds, Office of Children/Youth/Families]
Motion directing the Budget Analyst to review all City departments that have received money from the Mayor's Office of Children, Youth and Families and to report any unspent money during fiscal year 1993-1994. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 18, 1994.

File 165-94-009.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-94-041. [Settlement of litigation, Albert Walker] Ordinance authorizing settlement of litigation of Albert C. Walker against the City and County of Francisco by payment of $20,000. (Superior Court No. 954-877) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-94-043. [Settlement of Litigation, Dawn Walker] Ordinance authorizing settlement of litigation of Dawn Walker against the City and County of San Francisco for $77,500 and vocational rehabilitation benefits. (United States District Court No. C91-1190 SAW) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-94-044. [Settlement of Litigation, Curtis Cox] Ordinance authorizing settlement of litigation of Curtis Cox against the City and County of San Francisco by payment of $7,500. (Superior Court No. 943-486) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 046-94-009. [Settlement of Lawsuit, Patrick Yick] Ordinance authorizing settlement of Patrick Yick v. Bruce Collier, et al., upon receipt of the sum of $37,500 and dismissal of complaint. (United States District Court No. C-92-05007 FMS) (City Attorney) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 025-94-027. [County Jail Food Service Management Operations] Resolution approving the Controller's certification that County Jail Food Service Management Operations for the City and County of San Francisco can practically be performed by private contraction at a lower cost for the year commencing July 1, 1994 than if work performed by City and County employees. (Office of the Sheriff) Referred to Government Efficiency/Labor Committee.

File 040-94-011. [Residential Parking Area "U", South of Market] Resolution revising time limitations for certain streets within the Residential Permit Parking Area "U" in the South of Market area and adding to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

File 048-94-014. [Settlement of Claim, Raquel Picazzo] Resolution approving the settlement of unlitigated claim of Raquel Picazzo by payment of $20,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-94-015. [Claim Settlement, Patricia/Joanne/Diane Webster] Resolution approving the settlement of the unlitigated claim of Patricia, Joanne and Diane Webster by payment of $7,500. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 048-94-016. [Settlement of Claim, Kathleen Ann Bowler] Resolution approving the settlement of the unlitigated claim of Kathleen Ann Bowler by payment of $14,000. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 061-94-004. [Contract Award Extension] Resolution granting extension of time for awarding San Francisco Water Department Contract No. WD-2151, 8-inch ductile iron main installation in Sutter Street between Larkin and Webster Streets. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 107-94-004. [Cal-Learn Program, Dept of Social Services] Resolution approving the plan of services for the Cal-Learn Program by the Department of Social Services. (Department of Social Services) Referred to Government Efficiency/Labor Committee.

File 143-94-003. [Grant, Suppression of Drug Abuse in Schools] Resolution authorizing the Chief of

Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of $100,000, which includes indirect costs of $6,000 based on five percent of the total grant award, for new funding for a project entitled "Suppression of Drug Abuse in the Schools Program" and agreeing to provide twenty percent cash match in the amount of $20,000 dollars. (Police) Referred to Government Efficiency/Labor Committee.

File 143-94-004. [Grant, California Gang Violence Suppression] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of $100,000 dollars, which includes indirect costs of $5,000 based on five percent of the total grant award, for new funding for a project entitled "California Gang Violence Suppression Program". (Police) Referred to Government Efficiency/Labor Committee.

File 143-94-005. [Grant, Anti-Drug Abuse Enforcement Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for retroactively, accept and expend funds in the amount of $133,948, which includes indirect costs of $6,697, based on five percent of the total grant award, for continual funding for a project entitled "Anti-Drug Abuse Enforcement Program". (Police) Referred to Government Efficiency/Labor Committee.

File 143-94-006. [Grant, Crime Prevention Expansion] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of $164,175, which includes indirect costs of $10,260 based on approximately five percent of the total project cost less equipment, for continuation funding for a project entitled "Crime Prevention Expansion Project: "Mission Corridor" and agreeing to provide a twenty percent cash match in the amount of $41,044. (Police) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisors Kennedy, Alioto, that City Attorney prepare resolution memorializing Senators Dianne Feinstein and Barbara Boxer and Congresswoman Nancy Pelosi and all other California legislators to amend the FAA laws to allow all or part of the departure tax to be used for city and county services.

By Supervisors Kennedy, Alioto that City Attorney prepare ordinance which would establish an African American Art Museum by allocating portions of the base proceeds of the hotel tax fund to this museum in the amount of 2.1 percent in fiscal year 1995-96.

By Supervisor Kennedy, that letter be sent to the U.S. Department of Labor expressing concerns relating to the One-Stop Career Center system and its impact on local employment and training services and urge that local public officials and groups providing local employment and training services be consulted to help achieve the goals of the One-Stop Career Center system.

By Supervisor Alioto, that City Attorney prepare ordinance which would include pest control companies within the definition of contractors and to allow them to purchase contractor's parking permits. File 124-94-7.

By Supervisor Alioto, that City Attorney prepare written opinion advising the Board of Supervisors on how the City could increase the franchise fee payments made by Pacific Gas and Electric Company to the City and County.

By Supervisor Kennedy, that letters be sent to San Francisco's delegation to Washington urging them to contact members of the Senate Subcommittee on Labor, HHS and Education Appropriations, who will be meeting on July 14, 1994 concerning the Job Corps, to express their support for President Clinton's proposed increase for the Job Corps.

By Supervisor Maher, that City Attorney prepare ordinance concerning false claims. File 97-94-46.1.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Stepan Karamardian (Supervisor Conroy)
Michael Murphy (Supervisor Bierman)

File 2-94-28

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:53 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 8, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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c.2

Monday, July 18, 1994

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 89 Number 29

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 18, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:11 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Noted absent at first roll call:

Supervisors Conroy, Shelley - 2.

Quorum present.

Supervisor Conroy was noted present at 2:17 p.m.

Supervisor Shelley was noted present at 2:17 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Migden, seconded by Supervisor Bierman, moved that the Journal of Proceedings for Monday, June 20, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Conroy, Shelley - 2.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, CAO, $222,000]
Ordinance appropriating $222,000 Chief Administrative Officer, of seismic safety loan funds for bond issuance costs (legal and consulting services) related to the Seismic Safety Loan Program for fiscal year 1994-95. (Controller)

File 101-93-124, Ordinance No. 266-94

(Fiscal Impact.)

Finally passed.

[General Assistance Terminal Illness Exemption]
Ordinance amending Administrative Code, relating to eligibility of individuals who are terminally ill; ratifying and affirming the provisions of General Assistance to all terminally ill individuals for whom the General Manager of the Department of Social Services has previously approved aid. (Supervisors Leal, Alioto, Bierman, Hsieh, Migden)

File 97-94-22, Ordinance No. 265-94

(Fiscal Impact.)

(Adds Section 20.56.14.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Paul Stribling]
Ordinance authorizing settlement of litigation of Paul Stribling against the City and County by payment of $50,000. (City Attorney)

File 45-94-30, Ordinance No.

(Superior Court No. 951-399)

Passed for second reading.

[Settlement of Litigation, Leon Delarosa]
Ordinance authorizing settlement of litigation of Leon Delarosa against the City and County by payment of $25,000. (City Attorney)

File 45-94-36, Ordinance No.

(Superior Court No. 942-452)

Passed for second reading.

[Settlement of Litigation, Judith Alabdi]
Ordinance authorizing settlement of litigation of Judith Alabdi against the City and County by payment of $30,000. (City Attorney)

File 45-94-37, Ordinance No.

(Superior Court No. 951-047)

Passed for second reading.

[Settlement of Litigation, Sheila Gropper Nelson]
Ordinance authorizing settlement of litigation of Sheila Gropper Nelson against the City and County by payment of $10,000. (City Attorney)

File 45-94-38, Ordinance No.

(Municipal Court No. 082-772)

Passed for second reading.

[Settlement of Litigation, Linda Linares]
Ordinance authorizing settlement of litigation of Linda Linares against the City and County by payment of $9,200. (City Attorney)

File 45-94-39, Ordinance No.

(Superior Court No. 952-337)

Passed for second reading.

[Settlement of Litigation, Ramon Navarro]
Ordinance authorizing settlement of litigation of Ramon Navarro against the City and County by payment of $7,001.28. (City Attorney)

File 45-94-40, Ordinance No.

(Superior Court No. 949-592)

Passed for second reading.

[Settlement of Litigation, Estate of Carl Donnelly]
Ordinance authorizing settlement of litigation of City and County against A-1 Construction and Development Co., et al., upon receipt of $20,000. (City Attorney)

File 46-94-8, Ordinance No.

(Superior Court No. 944-079)

Passed for second reading.

Adopted

[Contract Out, Janitorial Services]
Resolution concurring with Controller's certification that janitorial services for 25 Van Ness Avenue can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Real Estate Department)

File 25-94-14, Resolution No. 628-94

Adopted.

[Contract Out, Intake and Shelter Services]
Resolution concurring with Controller's certification that intake and shelter services to status offenders can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Juvenile Probation Department)

File 25-94-17, Resolution No. 630-94

Adopted.

[Contract Out, Security Guard Services - Central Shops]
Resolution concurring with Controller's certification that security services can be practically performed by private contractor for lower cost than similar services performed by City and County employees. (Purchasing Department)

File 25-94-20, Resolution No. 631-94

Adopted.

[Contract Out, Budget Analyst Services]
Resolution concurring with Controller's certification that Budget Analyst services can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Controller)

File 25-94-21, Resolution No. 617-94

Adopted.

[Contract Out, Airport Parking Management Services]
Resolution approving Controller's certification that parking management services for S.F. International Airport can practically be performed by private contractor at a lower cost for the year commencing July 1, 1994, than if work were performed by City employees at budgeted levels. (Airports Commission)

File 25-94-22, Resolution No. 632-94

Adopted.

[Settlement of Claim, Wells Fargo Bank]
Resolution approving the settlement of the unlitigated claim of Wells Fargo Bank by payment of $16,000. (City Attorney)

File 48-94-13, Resolution No. 633-94

Adopted.

[Lease of Property, 1390 Market Street]
Resolution authorizing a lease of real property at Fox Plaza, 1390 Market Street, for the relocation of the City Attorney currently located at City Hall. (Real Estate Department)

File 64-94-10, Resolution No. 634-94

Adopted.

[Federal Funds-PIC 1994 Refugee County Plan]
Resolution approving San Francisco 1994 Refugee County Plan and authorizing the Private Industry Council to apply for, accept and expend $797,503 in line with that plan. (Private Industry Council)

File 156-94-2, Resolution No. 648-94

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

REGULAR CALENDAR

UNFINISHED BUSINESS

Reconsideration by Board

Consideration Continued

[Final Negative Declaration]
Resolution adopting Final Negative Declaration, finding and determining that the amendment of Planning Code Sections 603, 605 and 608 to permit advertising on public service kiosks associated with public toilets, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Supervisors Alioto, Maher, Kennedy)

File 115-93-8.2, Resolution No.

(June 27, 1994 - Refused Adoption.
(July 1, 1994 - Returned by Mayor requesting reconsideration.)
(July 5, 1994 - Consideration continued to July 18, 1994.)

Supervisor Conroy, seconded by Supervisor Leal, moved to continue consideration to July 25, 1994 with the Board sitting as a Committee of the Whole at 3:00 p.m. (See infra.)

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Public Toilet Advertising]
Ordinance amending City Planning Code to permit advertising on public service kiosks associated with public toilets and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 115-93-8.2. (Supervisors Alioto, Maher, Kennedy)

File 115-93-8, Ordinance No.

(Amends Sections 603, 605 and 608.)

(June 27, 1994 - Refused Adoption.
(July 1, 1994 - Returned by Mayor requesting reconsideration.)
(July 5, 1994 - Consideration continued to July 18, 1994.)

Supervisor Conroy, seconded by Supervisor Leal, moved to continue consideration to July 25, 1994

with the Board sitting as a Committee of the Whole at 3:00 p.m. (See infra.)

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Automatic Public Toilet Program]
Resolution authorizing the Director of Public Works to enter into an agreement with JCDecaux United Street Furniture, Inc. to provide for the placement of automatic public toilets on public property in San Francisco in exchange for the right to place public service kiosks on public property and to sell advertising on said kiosks; companion measure to Files 115-93-8 and 115-93-8.2. (Supervisors Alioto, Maher, Kennedy)

File 115-93-8.1, Resolution No.

(June 27, 1994 - Refused Adoption.
(July 1, 1994 - Returned by Mayor requesting reconsideration.)
(July 5, 1994 - Consideration continued to July 18, 1994.)

Supervisor Conroy, seconded by Supervisor Leal, moved to continue consideration to July 25, 1994 with the Board sitting as a Committee of the Whole at 3:00 p.m. (See infra.)

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted

[Automatic Public Toilet]
Motion that the Board of Supervisors convene as a Committee of the Whole on July 25, 1994 at 3:00 p.m. to consider proposed amendments of the automatic public toilet and public service kiosk agreement with JCDecaux United Street Furniture, Inc. as follows: expanded hours of operation; expanded maintenance obligations; reducing the minimum number of toilets and related kiosks to be provided; revising related conditions of the agreement; establish a two-year trial period after which the automatic public toilet portion of the program could be terminated; providing for continued operation of the public service kiosks if the automatic public toilet portion of the program is terminated; and revising provisions relating to JCDecaux's obligations to share advertising revenue with the city.

File 115-93-8.3

Supervisor Conroy presented for immediate adoption.

Supervisor Conroy, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kaufman, Kennedy, Leal - 6.

Noes: Supervisor Bierman - 1.

Absent: Supervisors Hsieh, Maher, Migden, Shelley - 4.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair so the President could participate in the debate from the floor.

Recommendations of Budget Committee

Adopted as Amended

[Annual Budget]
Annual Budget for the City and County of San Francisco for fiscal year 1994-95. (Mayor)

File 100-94-1

(Administrative Code Section 3.5 provides the Board shall adopt the Budget not earlier than July 15, 1994 nor later than July 26, 1994.)

(July 11, 1994 - Consideration continued to July 18, 1994.)

Supervisor Hsieh, seconded by Supervisor Bierman, moved to amend the June 30, 1994 budget recommendation pursuant to document entitled, "City and County of San Francisco, 1994-95 Budget, State Impact", identified as #2, to fill in the State reduction of $14.9 million (copy of which is contained in the file in the office of the Clerk of the Board of Supervisors).

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

Supervisor Bierman, seconded by Supervisor Hsieh, moved to amend, with the approval of the Mayor, by deleting additional $500,000 from the Police Department budget and restoring $500,000 to the Health Department for Public Health nurses.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Supervisor Alioto, seconded by Supervisor Hsieh, moved to amend by reserving $1 million of General Fund Reserve for the following agencies: 18th Street Services, Asian American Recovery Services, BAART, Baker Places, Bayview Hunters Point Foundation, Haight Ashbury Free Clinic, HAFC (Glide Church), Horizons, Chemical Awareness as Treatment, San Francisco General Hospital Substance Abuse Clinic, Walden House, Westside Community Mental Health and Iris Women's Center.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

The President resumed the Chair.

Passed for Second Reading as Amended

[Annual Appropriation Ordinance, fiscal year 1994-95]
Ordinance appropriating all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1995. (Mayor)

File 101-94-2, Ordinance No.

(July 11, 1994 - Consideration continued to July 18, 1994.)

Supervisor Hsieh, seconded by Supervisor Leal, moved to amend to conform the annual appropriation ordinance to the annual budget as amended.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

Adopted

[Authorize Controller to Adjust 1994-95 Budget]

Motion authorizing the Controller to adjust interdepartmental appropriations, make transfers to correct objects of expenditure classifications and to correct clerical or computational errors as may be ascertained by the Controller to exist in the 1994-95 Annual Budget as adopted by the Board of Supervisors and directing the Clerk of the Board to notify the Controller. (Supervisor Hsieh)

File 101-94-002.01

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

Passed for Second Reading as Amended

[Annual Salary Ordinance]
Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1995, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof. (Civil Service Commission)

File 102-94-2, Ordinance No.

(July 11, 1994 - Consideration continued to July 18, 1994.)

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to amend to conform the Annual Salary Ordinance to the Annual Budget as amended.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

Passed for second reading as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

Finally Passed

[Special Election 11/8/94, General Obligation Bonds]
Ordinance calling and providing for a Special Election to be held in the City and County of San Francisco on Tuesday, November 8, 1994, for the purpose of submitting to the voters of the City and County of San Francisco propositions to incur the following bonded debts of the City and County of the acquisition, construction or completion by the City and County of San Francisco of the following municipal improvements, to wit: one hundred ninety-five million six hundred thousand dollars ($195,600,000) for construction and reconstruction of correctional facilities to replace the existing San Bruno Jail facilities; forty-one million seven hundred thirty thousand dollars ($41,730,000) for construction and reconstruction of certain improvements to the old Main Library; thirty-eight million three hundred fifty thousand dollars ($38,350,000) for construction and reconstruction of certain improvements to City Hall; that the estimated cost to the City and County of San Francisco of said municipal improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County of San Francisco and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such municipal improvements; fixing the date of the election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on said bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; consolidating the Special Election with the General Election; and providing that the election precincts, voting places and officers for election shall be the same as for such General Election. (Supervisor Alioto)

File 60-94-12, Ordinance. 264-94

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

From Budget Committee Without Recommendation

Finally Passed

[Firearms and Ammunition Business Tax]
Ordinance amending Part III of the Municipal Code, to make technical changes and to change the effective date of recent changes affecting businesses selling firearms and ammunition from January 1, 1994 to January 1, 1995. (Supervisor Migden)

File 127-94-1.1, Ordinance No. 267-94

(Fiscal Impact.)

(Amends Section 905-A of Article 12A and Sections 1003, 1004.17, 1004.18, and 1005.3 of Article 12-B.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted as Amended

[Parking Meter and Street Cleaning Penalties]
Resolution amending the penalties for expired parking meter and street cleaning violations of the San Francisco Traffic Code; providing for report. (Supervisor Hsieh)

File 190-94-4, Resolution No. 654-94

(July 11, 1994 - Consideration continued to July 18, 1994.)

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to amend title, line 4, by adding "; providing for report"; amend line 22 by adding the following: "Further resolved, That the Department of Parking and Traffic is requested to submit a report six months after its implementation to the Board of Supervisors."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisors Conroy, Hallinan, Maher - 3.

Called From Rules Committee by Supervisor Alioto

Consideration Continued as Amended

[Ballot Measure, Youth Commission]
Charter amendment (((Third)) Fourth Draft) adding Section 3.720 to establish a Youth Commission. (Supervisors Alioto, Shelley, Hallinan, Hsieh, Kennedy)

File 271-94-1

(July 11, 1994 - Consideration continued to July 18, 1994.)

At the request of Supervisor Alioto, Supervisor Hallinan, seconded by Supervisor Conroy, moved an amendment of the whole (Fourth Draft) bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Supervisor Hallinan, seconded by Supervisor Conroy, moved to continue consideration as amended to July 25, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 10.

Absent: Supervisor Shelley - 1.

NEW BUSINESS

Recommendations of Budget Committee

Adopted

[Final Environmental Impact Report, Courthouse]
Resolution adopting Final Environmental Impact Report, finding and determining that the San Francisco Courts Building project, including approval of an appropriation of funds, property reclassification, property acquisition, street vacation, lot line adjustment, and project financing will have a significant impact on the environment, and adopting and incorporating findings of Final Environmental Impact Report. (Supervisor Alioto)

File 279-94-1, Resolution No. 659-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[California Environmental Quality Act, Courthouse]
Resolution incorporating by reference findings made by the City Planning Commission and adopting further findings pertaining to the California Environmental Quality Act relating to the approval of an appropriation of funds, property reclassification, property acquisition, street vacation, lot line adjustment and project financing for the San Francisco Courts Building project, as analyzed in the San Francisco Courts Building Final Environmental Impact Report (FEIR) Case No. 93.546E. (Supervisor Alioto)

File 279-94-2, Resolution No. 660-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Passed for Second Reading

[Appropriation, Superior and Municipal Courts]
Ordinance appropriating $9,722,458, Superior and Municipal Courts, courthouse construction funds for capital improvement project for fiscal year 1994-95; placing $2,769,323 on reserve. (Supervisor Alioto)

File 101-94-118, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Reclassification of Property]
Ordinance amending City Planning Code by amending the Zoning Map for property in the Civic Center area, generally bounded by McAllister and Polk Streets, Redwood Alley, and Van Ness Avenue, to reclassify Assessor's Block 766, Lots 4 and 5 from a "C-2" Use District to a "P" Use District; and to reclassify Assessor's Block 766, Lots 2, 3, 4 and 5 from a 70-X Height and Bulk District to an 80-X Height and Bulk District; adopting City Planning Resolution approving findings related to the eight priority policies of City Planning Code Section 101.1. (Supervisors Hsieh, Alioto)

File 36-94-4, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted

[Hold Harmless, Courthouse Construction, Novelact]
Resolution authorizing hold harmless agreements with Novelact (USA) Ltd., pertaining to nuisance claims, property damage or personal injury from construction of the new San Francisco courts building. (Supervisor Alioto)

File 279-94-3, Resolution No. 661-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Hold Harmless, Courthouse Construction, Novelact]
Resolution authorizing a hold harmless agreement with Novelact (USA) Ltd., owner of real property at 512 Van Ness Avenue, pertaining to excavation, shoring and other construction activities for the new San Francisco courts building. (Supervisor Alioto)

File 279-94-4, Resolution No. 662-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Property Acquisition, 456 McAllister Street]
Resolution approving and authorizing an agreement with the Society of California Pioneers for the purchase of real property located at 456 McAllister Street (including a release and indemnities of the seller contained in such agreement); adopting findings that the purchase is consistent with the City's Master Plan and eight priority policies of City Planning Code Section 101.1; and adopting and incorporating findings pursuant to the California Environmental Quality Act. (Supervisor Alioto)

File 84-94-2, Resolution No. 637-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Street Vacation, McAllister/Polk/Redwood Streets]
Resolution declaring the intention of the Board of Supervisors to vacate subsurface portions of McAllister, Polk and Redwood Streets adjoining Assessor's Block 766, Lots 2, 3, 4 and 5 and setting the hearing date for August 22, 1994, at 3:00 p.m. for all persons interested in the proposed vacation. (Supervisor Alioto)

File 164-94-1, Resolution No. 616-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Property Acquisition, Portions of Route 480]
Resolution approving and authorizing a Memorandum of Agreement with the State of California for acquisition of certain portions of Route 480 known as the Broadway and Clay/Washington parcels and other interests (including certain waivers and indemnities of the State contained in such Agreement), and adopting findings that all such acquisitions are consistent with the City's Master Plan and eight priority policies of City Planning Code Section 101.1. (Supervisor Alioto)

File 84-94-1, Resolution No. 636-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Passed for Second Reading

[Appropriation, Dept of Public Works, $92,166]
Ordinance appropriating and certifying $92,166, Department of Public Works, for capital improvement project (sewer lining) to cover ten percent overage as per Charter Section 7.203; providing for ratification of action previously taken, for fiscal year 1994-95. (Supervisor Alioto)

File 101-94-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[County Clerk-Recorder, Cost Recovery Fees]
Ordinance amending Administrative Code by amending Section 8.33, authorizing the County Clerk-Recorder to increase fees otherwise set by state law to reflect the actual cost of providing certain records and services. (Supervisor Alioto)

File 97-94-44, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Administrative Fee - Towing]
Ordinance amending Traffic Code, providing for the collection of an administrative fee for the towing of vehicles under certain conditions and ordered by the Police Department, and amending the Administrative Code by amending Section 10C.1. (Supervisor Migden)

File 124-94-8, Ordinance No.

(Amends Traffic Code by adding Section 170.2-A and 170.2-B;
Amends Administrative Code Chapter 10C.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted

[Special Election 11/8/94, Sewer Revenue Bonds]
Resolution calling and providing for a special revenue bond election to be held in the City and County for the purpose of submitting to the qualified voters of said City and County on November 8, 1994, a proposition of issuing revenue bonds pursuant to Section 7.300 of the Charter of the City and County in the principal amount of $146,075,000 to provide funds for the purpose of acquiring, constructing, improving and financing improvements to the existing sewage treatment and disposal system; consolidating said special revenue bond election with the General Municipal Election to be held on November 8, 1994. (Supervisors Alioto, Bierman)

File 60-94-12.1, Resolution No. 618-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Sale of Surplus Property]
Resolution confirming sale of surplus City-owned property in Assessor's Block 1260, Lot 22, Castro Street and Duboce Avenue; Assessor's Block 2713, Lot 10- Eagle Street and Mono Street at Market Street; and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 96-93-2.1, Resolution No. 641-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Open Space Acquisition, Assessor's Blk 5556/Lot 56]
Resolution authorizing Purchase Agreement for acquisition of real property located in Bernal Heights generally described as a portion of the Bernal Heights Community Garden, identified as City and County Assessor's Block 5556, Lot 56 for open space purposes and adopting findings pursuant to City Planning Code Section 101.1. (Supervisor Alioto)

File 168-94-4, Resolution No. 651-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Combined Fire Department Headquarters/Pump Station]
Resolution approving Plan to reallocate $2.27 Million from the 1992 Fire Improvement Bond (Prop C) in order to complete the combined Fire Department Headquarters/Pump Station; placing $1,666,000 on reserve. (Supervisors Conroy, Alioto, Hsieh, Bierman)

File 170-94-13, Resolution No. 652-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted as Amended

[Mortgage Revenue Bonds, 101 Valencia Street]
Resolution authorizing the issuance, sale and delivery of City and County Single Family Mortgage Revenue Bonds, Series 1994 (GNMA and FNMA Mortgage backed Securities Program), in an aggregate principal amount not to exceed $17,500,000; authorizing the execution and delivery of an indenture, origination, servicing and administration agreement, home mortgage assistance trust agreement, bond purchase contract and official statement; adopting rules and regulations governing the program; authorizing the Mayor, in consultation with the City Attorney to make any necessary or advisable modifications, changes or additions to any of the bond documents and authorizing the execution and delivery of and approving other related documents and actions in connection therewith. (Supervisors Shelley, Alioto, Bierman, Hsieh)

File 170-94-14, Resolution No. 595-94

Supervisor Shelley, seconded by Supervisor Maher, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Consideration Continued

(Supervisor Alioto dissenting in Committee.)

[Joint Powers Agreement - Peninsula Corridor]
Resolution authorizing execution of an amendment to Joint Powers Agreement between the City and County, the San Mateo County Transit District and the Santa Clara County Transit District to replace an appointment of the City's Public Utilities Commission as a representative of the City on the Joint Powers Board with an appointment of the Airports Commission. (Supervisor Hsieh)

File 172-94-2, Resolution No.

(April 11, 1994 - Rereferred to Budget Committee from Board with direction to report back to the Board on July 18, 1994.)

(July 13, 1994 - Committee recommends that the Board continue the item to September 12, 1994.)

Supervisor Hsieh, seconded by Supervisor Maher, moved to continue consideration to September 12, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Recommendations of Economic Vitality and Social Policy Committee

Adopted

[Old St. Mary's Cathedral]
Resolution declaring the City and County's recognition and support of Old St. Mary's Cathedral and all landmarked places of worship that need seismic retrofitting. (Supervisors Hsieh, Alioto)

File 246-94-1, Resolution No. 657-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Churches, Retrofit Unreinforced Masonry Building]
Resolution declaring the City and County's recognition of and support of efforts of churches to raise funds to retrofit unreinforced masonry buildings that are important community assets. (Supervisors Kennedy, Alioto)

File 246-94-2, Resolution No. 658-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Airport, Lease Modification, American Airlines, Inc.]
Ordinance approving Modification No. 5 of Lease and Use Agreement between American Airlines, Inc., and San Francisco, acting by and through its Airports Commission; retroactively from May 1, 1994 to June 30, 2011. (Airports Commission)

File 27-94-9, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Airport, Lease Modification #3, Mexicana Airlines]
Ordinance approving Modification No. 3 of Lease and Use Agreement between Mexicana Airlines, Inc., and San Francisco, acting by and through its Airports Commission; retroactively from May 1, 1994 to June 30, 2011. (Airports Commission)

File 27-94-10, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Airport, Lease Modification #2, Philippine Airlines]
Ordinance approving Modification No. 2 of Lease and Use Agreement between Philippine Airlines, Inc., and San Francisco, acting by and through its Airports Commission; retroactively from May 1, 1994 to June 30, 2011. (Airports Commission)

File 27-94-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Lease, Twin Peaks Mobil Gas Station]
Ordinance authorizing and approving a negotiated lease with Michael Gharib, dba Twin Peaks Mobil, of certain City-owned land at the northeast corner of Portola Drive and Woodside Avenue, without competitive bidding. (Real Estate Department)

File 65-94-11, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Lease, AIDS Foundation, 25 Van Ness Avenue]
Ordinance authorizing and approving the renewal of a lease of space in City-owned property at 25 Van Ness Avenue, consisting of portions of floors 3, 6 and 7, to the San Francisco AIDS Foundation, a non-profit corporation, commencing August 1, 1994. (Supervisors Alioto, Migden)

File 65-94-12, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

[Caltrans, Permit to Use City-Owned Property]
Ordinance authorizing the State of California Department of Transportation to use City-owned property at Army Street and Bayshore Boulevard; adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 65-94-13, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Port Lease, South West Marine, Inc.]
Ordinance approving First Amendment to Lease Agreement between South West Marine, Inc. (dba San Francisco Drydock, Inc.) and the City and County, operating by and through the Port Commission for ship repair operations at Pier 70. (Supervisors Migden, Shelley)

File 65-94-14, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted

[MOU, District Attorney Investigators' Association]
Resolution ratifying Memorandum of Understanding between the District Attorney Investigators' Association and the City and County for the period July 1, 1994 through June 30, 1997. (Employee Relations Division)

File 93-94-20, Resolution No. 640-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Passed for Second Reading

[Fiscal Provisions, DA Investigators]
Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County and the District Attorney Investigators' Association for the period July 1, 1994 through June 30, 1995; companion measure to File 93-94-20. (Employee Relations Division)

File 93-94-20.1, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Local Hiring - Contract Procedure]
Ordinance amending the Administrative Code (Contract Procedure) requiring that all City construction contracts within the boundaries of the City and County include a provision requiring prime contractors to make good faith efforts to hire San Francisco residents to comprise no less than 50 percent of their total construction work force. (Supervisors Hallinan, Alioto, Kaufman, Kennedy, Leal, Migden, Shelley)

File 97-94-25, Resolution No.

(Fiscal Impact.)

(Adds Section 6.56.)

(June 20, 1994 - Rereferred to Committee by the Board.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

[Street Artist Hearing Procedure]
Ordinance amending Police Code to revise procedures for the suspension or revocation of street artist certificates. (Supervisors Hallinan, Alioto)

File 121-94-7, Ordinance No.

(Amends Sections 2401, 2408 and 2409.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted

[Contract Out, Shuttle Bus Services]
Resolution approving Controller's certification that shuttle bus services for S.F. International Airport can practically be performed by private contractor at a lower cost for fiscal year commencing July 1, 1994 than if work were performed by City and County employees. (Airports Commission)

File 25-94-16, Resolution No. 629-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Contract Out, Court Management System Services]
Resolution concurring with Controller's certification that services of the Court Management System Coordinator can be practically performed by private contractor for lower cost than similar work services performed by City and County employees. (Municipal Court)

File 25-94-18, Resolution No. 620-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Lease of Property, 760 Harrison Street]
Resolution authorizing a lease of real property at 760 Harrison Street, San Francisco, for the Police Commission's Office of Citizen Complaints. (Real Estate Department)

File 64-94-11, Resolution No. 635-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[MOU, Cement Masons Local 580]
Resolution ratifying Memorandum of Understanding between the Cement Masons, Local 580 and the City and County for the period July 1, 1993 through June 30, 1996. (Employee Relations Division)

File 93-94-18, Resolution No. 638-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[MOU, Probation Officers Association]
Resolution ratifying Memorandum of Understanding between the Probation Officers Association and the City and County of San Francisco for the period July 1, 1994 through June 30, 1995. (Employee Relations Division)

File 93-94-19, Resolution No. 639-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grant - State, Adult Probation Drug Abatement]
Resolution authorizing the Chief Adult Probation Officer to apply for, retroactively, accept and expend funds of $159,892, which include indirect costs of $7,995, based on 5 percent of the total project, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Adult Probation's Drug Abatement Project." (Supervisor Alioto)

File 130-94-1, Resolution No. 642-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grant - State Funds]
Resolution authorizing the District Attorney to apply for, retroactively, accept and expend grant funds in the amount of $236,141 including indirect costs of $11,245 made available through the California Office of Criminal Justice Planning for the operation of the Career Criminal Program for the twelve month period July 1, 1994 through June 30, 1995. (Supervisor Alioto)

File 138-94-6, Resolution No. 643-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grant - State Funds]
Resolution authorizing the District Attorney to apply for, retroactively, accept and expend grant funds in the amount of $56,989 available through the Office of Criminal Justice Planning for a project entitled "Special Emphasis Victim Witness Assistance Program" for the twelve month period July 1, 1994 through June 30, 1995 and waiving indirect costs due to funding restraints. (Supervisor Alioto)

File 138-94-7, Resolution No. 644-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grant - State Funds]
Resolution authorizing District Attorney to apply for, retroactively, accept and expend funds in the amount of $280,755 made available through the Office of Criminal Justice Planning for a project entitled "San Francisco District Attorney's Drug Abatement Project" for the 12 month period July 1, 1994 through June 30, 1994 and including indirect costs of $14,038. (Supervisor Alioto)

File 138-94-8, Resolution No. 645-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grant - State/Federal]
Resolution authorizing Department of Public Health, Division of Mental Health and Substance Abuse Services to apply for a grant up to the amount of $300,000 which excludes indirect costs from the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Treatment, through the State of California, Department of Alcohol and Drug Programs; waiving indirect costs. (Supervisors Alioto, Leal, Migden)

File 146-94-15, Resolution No. 646-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

[Grant, Online Human Services Directory]
Resolution authorizing the Public Library to retroactively apply for funds not to exceed $612,026 available through U.S. Department of Commerce, National Technology Information Administration (NTIA), to establish the San Francisco Connection - City and County Online Human Services Directory; indirect costs are included in this grant. (Supervisors Leal, Alioto)

File 147-94-4, Resolution No. 657-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Agreement, CCSF/State Personnel Board]
Resolution authorizing execution of agreement and amendments between San Francisco through the Mayor's Office, and the State Personnel Board for Career Opportunities Development Program. (Mayor's Office of Emergency Services)

File 172-94-23, Resolution No. 596-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Contract Amendment, Articulated Trolley Coaches]
Resolution authorizing Municipal Railway to modify an existing contract with New Flyer Industries Limited for purchasing Articulated Trolley Coaches. (Public Utilities Commission)

File 172-94-25, Resolution No. 653-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grant - State, Code Enforcement]
Resolution authorizing the City Attorney to apply for, retroactively, accept and expend $116,247 from the California Department of Justice, Governmental Trust Fund, for the Code Enforcement Section of the City Attorney's Office, waiving indirect costs. (City Attorney)

File 194-94-2, Resolution No. 655-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Permit, United Nations Plaza, Feeding Ministry]
Resolution issuing permit to the San Francisco Peninsula Baptist Association pursuant to Administrative Code Section 2.74 for associated churches to conduct feeding ministries on the Hyde Street side of United Nations Plaza on Saturdays between 4:30 p.m. and 5:30 p.m. (Government Efficiency and Labor Committee)

File 280-94-1, Resolution No. 663-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Recommendation of Health, Public Safety and Environment Committee

Adopted

[MUNI Riders Bill of Rights]
Resolution urging the Mayor to direct the new Transportation Commission to establish, as a top priority, commitment to MUNI service quality including development of a MUNI Riders Bill of Rights and renewed commitment to the Transit First Policy. (Supervisors Leal, Alioto, Bierman)

File 7-94-8, Resolution No. 627-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisors Alioto, Bierman requested to be added as co-sponsors.

Recommendation of Rules Committee

Passed for Second Reading

[Retirement Board Elections]
Ordinance amending the Administrative Code, regarding Retirement Board elections pursuant to Proposition R adopted by the voters November 1993. (Supervisor Alioto)

File 97-94-38, Ordinance No.

(Amends Sections 16.550 through 16.564.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

From Rules Committee with Recommendation "Do Submit"

Consideration Continued

[Ballot Measure, New Charter]
Charter amendment (Sixth Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisors Kaufman, Hsieh, Leal, Migden, Kennedy, Shelley, Maher)

File 261-94-1

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to July 25, 1994. (See infra.)

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted

[New Charter]
Motion that the Board of Supervisors convene as a Committee of the Whole on July 25, 1994 at 5:00 p.m. to take public testimony on the proposed Charter amendment (Sixth Draft) to repeal the 1932 Charter and to enact a new Charter.

File 261-94-002

Supervisor Kennedy presented.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kennedy, Leal - 6.

Noes: Supervisor Kaufman - 1.

Absent: Supervisors Hsieh, Maher, Migden, Shelley - 4.

Consideration Continued

[Ballot Measure, Domestic Partners]
Charter amendment (First Draft) to amend the charter by adding Section 8.500-2 relating to domestic partners. (Supervisors Migden, Leal, Kaufman, Alioto, Shelley, Maher)

File 262-94-1

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to July 25, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Consideration Continued as Amended

[Ballot Measure, Establish Commission/Status of Women]
((Charter amendment (First Draft) to amend the charter to establish a Commission on the Status of Women.)) (Supervisors Maher, Leal, Shelley, Conroy, Bierman, Alioto, Migden)

Charter amendment (Second Draft) amending the Charter by adding Section 3.708 to establish a Commission on the Status of Women and amending Section 8.107 to provide that members of the Commission on the Status of Women may be removed only for cause.

File 265-94-1

Supervisor Maher, seconded by Supervisor Leal, moved an amendment of the whole entitled, "Charter amendment (Second Draft) amending the Charter by adding Section 3.708 to establish a Commission on the Status of Women and amending Section 8.107 to provide that members of the Commission on the Status of Women may be removed only for cause."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration as amended to July 25, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisors Bierman, Alioto, Migden requested to be added as co-sponsors.

Consideration Continued

[Ballot Measure, Collective Bargaining]
Charter amendment (Fourth Draft) to amend by deleting Sections 8.400(h), 8.401, 8.401-1 and 8.407, and the charter by amending Sections 8.409, 8.409-1, 8.409-3 and 8.409.4; and amending or deleting Sections 8.403, 8.404 and 8.590-1 through 8.590-7 relating to the compensation and collective bargaining of City employees and officers. (Supervisors Shelley, Kaufman, Conroy, Alioto)

File 273-94-1

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to continue consideration to July 25, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

COMMITTEE REPORTS

Recommendation of Budget Committee

Adopted as Amended

(Supervisor Bierman dissenting in Committee.)

[Redevelopment Agency Budget and Bonds]
Resolution approving the budget of the Redevelopment Agency of the City and County for fiscal year 1994-95; and approving the issuance by the Agency of Bonds in an aggregate principal amount not to exceed $25;850,000 for the purpose of financing Redevelopment activities in fiscal year 1994-1995. (Redevelopment Agency)

File 161-94-4, Resolution No. 649-94

(July 11, 1994 - Rereferred to Budget Committee.)

Supervisor Hsieh presented as recommendation of Budget Committee.

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to amend page two, lines 22 and 23 by deleting, "except that the Board of Supervisors has deleted the position of Deputy Executive Director-Economic Development".

Motion to amend adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Noes: Supervisors Alioto, Hallinan, Hsieh, Maher - 4.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noes: Supervisors Hallinan, Hsieh, Maher - 3.

ROLL CALL FOR INTRODUCTIONS

Roll call for introduction of ordinances, resolutions, charter amendments, requests for hearings, letters of inquiry, and letters of request to the City Attorney.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

female speaker, budget review.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Late Night On Haight Street Celebration]
Resolution urging San Franciscans and visitors to San Francisco to participate in the Late Night On Haight Street celebrations that will mark the dawn of a "new beginning" for the Haight Street Merchants Association and other Haight Neighborhood Associations. (Supervisor Alioto)

File 004-94-018, Resolution No. 624-94

(July 11, 1994 - Introduced in Board for consideration on July 18, 1994.)

Adopted.

[14th Annual Comedy Day in Golden Gate Park]
Resolution declaring July 24, 1994 as the 14th Annual Comedy Celebration Day in Golden Gate Park. (Supervisors Maher, Alioto)

File 004-94-019, Resolution No. 625-94

(July 11, 1994 - Introduced in Board for consideration on July 18, 1994.)

Adopted.

[Treasure Island, Building Number 180]
Resolution requesting the Redevelopment Agency of the City and County, pursuant to the California Community Redevelopment Law, to take conveyance, by lease or license agreement, of Building Number 180 on Treasure Island for lease or license to a film production company. (Supervisors Shelley, Alioto)

File 161-94-005.01, Resolution No. 650-94

(July 11, 1994 - Introduced in Board for consideration on July 18, 1994.)

Adopted.

[Elderly Victims of Domestic Violence]
Resolution supporting the San Francisco Consortium for Elder Abuse in their efforts to seek new funding and resources from the Administration on Aging U.S. Department of Health and Human Services to strengthen services for elderly victims of domestic violence and urging his Honor, the Mayor, to use his office to convince the Administration on Aging to grant their proposal request of $200,000 to implement recommendations of the Elder Abuse Task Force. (Supervisors Kennedy, Migden, Hsieh, Bierman, Alioto)

File 217-94-004, Resolution No. 656-94

(July 11, 1994 - Introduced in Board for consideration on July 18, 1994.)

Adopted.

[Funds, Office of Children/Youth/Families]
Motion directing the Budget Analyst to review all city departments that have received money from the Mayor's Office of Children, Youth and Families and to report any unspent money during fiscal year 1993-1994. (Supervisor Alioto)

File 165-94-009

(July 11, 1994 - Introduced in Board for consideration on July 18, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Shelley - 7.

Absent: Supervisors Hsieh, Leal, Maher, Migden - 4.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-29, Resolution No. 597-94

(Barbara Kaufman, member, Board of Supervisors, July 21 - 24; Willie B. Kennedy, member, Board of Supervisors, September 25 - 29; Susan Leal, member, Board of Supervisors, July 19 - 21; Marie K. Brooks, member, Airports Commission, July 14 - August 11; Patrick A. Murphy, President, Airports Commission, July 13 - 15, 1994.)

Adopted.

[Angel Island Minor Boundary Change]
Motion protesting a proposal by the County of Marin to change the boundary lines of the City and County of San Francisco to remove certain portions of Angel Island known as East Garrison and Point Blunt from the City and County of San Francisco and place all of Angel Island within Marin County and to make minor technical changes in said boundary lines at Red Rock to place all of Red Rock in San Francisco and Contra Costa Counties. (Supervisors Kennedy, Alioto)

File 199-94-3

Adopted.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Shelley - 7.

Absent: Supervisors Hsieh, Leal, Maher, Migden - 4.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Consultant Contracts, False Claims]
Substitute ordinance amending Administrative Code by repealing Sections 6.25, 6.45 and 21.24 and by adding Sections 6.57, 6.58, 6.59, 6.60, 21.24, 21.24.1 and 21.24-2 and by amending Sections 6.38, 6.41, 6.42, 6.4 3, 6.44, 6.46, 6.52, relating to penalties assessed against contractors, subcontractors and consultants for submitting false claims. Supervisors Conroy, Maher presented. Referred to Economic Vitality/Social Policy Committee.

File 097-94-045.

[Business Advisory Commission]
Ordinance amending Administrative Code by repealing Article XIII of Chapter 5 to abolish the Bureau of Small Business and Small Business Advisory Commission and by adding new Article XIII, Section 5.120 to establish a Business Advisory Commission within the Mayor's Office of Business and Contracting Services. Supervisor Conroy presented. Referred to Economic Vitality/Social Policy Committee.

File 097-94-049.

[Press Passes]
Substitute ordinance amending Traffic Code by amending Sections 11.2, 11.3 and 11.4 relating to vehicle press parking cards. Supervisor Maher presented. Referred to Housing and Land Use Committee.

File 124-94-003.

Referred to Board

[Commend, Jewish Film Festival]

Resolution commending the 14th Annual Jewish Film Festival. Supervisors Migden, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 25, 1994.

File 006-94-046.

Referred to Committee

[Policy, Alternative Street Lighting Fixtures]
Resolution establishing the policy of the City and County of San Francisco that residents and businesses in the City should be permitted to have alternative street lighting fixtures. Supervisors Maher, Alioto presented. Referred to Housing and Land Use Committee with request it be considered at the July 21, 1994 meeting.

File 043-94-001.

Referred to Board

[State Ballot, Opposing Save Our State Initiative]
Resolution opposing the Save Our State ballot initiative and urging the Mayor to oppose this measure and to educate the electorate of San Francisco about this measure's negative impacts on the City and County. Supervisors Leal, Hsieh, Alioto, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar July 25, 1994.

File 060-94-013.

Referred to Committee

[California Historical Society]
Resolution urging the Redevelopment Agency Commission to make every effort to provide financial assistance to the California Historical Society. Supervisor Maher presented. Referred to Budget Committee.

File 161-94-006.

[Street Artist Selling Spaces]
Resolution designating for one year five selling spaces on Jefferson Street, south side, Hyde to Leavenworth Streets and four selling spaces on Beach Street, north side, Hyde to Leavenworth Streets, for street artists certified by the Art Commission; providing for review of the nine designations in one year. Supervisors Hallinan, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 169-94-002.

Called from Committee; Referred to Board

[Ballot Measure, Parking and Traffic Dept./Comm.]
Charter amendment (First Draft) deleting Sections 3.698, 3.698-1, 3.698-2, and 3.698-3 relating to the Parking and Traffic Commission and the Department of Parking and Traffic, powers, duties of Commission and composition and organization of Department; amending Section 3.510 to vest specified powers and duties relating to street traffic in the Department of Public Works; amending Section 3.538 to substitute the Department of Public Works for the Department of Parking and Traffic as the department to receive traffic accident reports and to submit plans for traffic control; amending Section 3.552 relating to the powers and duties of the Park Commission; amending Section 7.403 to transfer from the Parking and Traffic Commission to the Recreation and Park Commission the power, subject to specified conditions, to lease parking facilities under a park, square or playground. Called from Committee by Supervisor Maher with direction to schedule for consideration by the Board on July 25, 1994, with the intention of moving an amendment of the whole to the charter amendment to leave the Department of Parking and Traffic as is, except to transfer the Parking Control Officers and the enforcement function back to the Police Department.

File 267-94-001.

Requests for Hearings:

[Cable Car Line, Taylor Street]
Hearing to consider extending the Taylor Street cable car line by one, two or three blocks toward Fisherman's Wharf and Pier 45. Supervisor Alioto presented. Referred to Housing and Land Use Committee with request it be considered at the September 1, 1994 meeting.

File 007-94-013.

[Youth Carriers, San Francisco Newspaper Agency]
Hearing to consider the status of the Youth Carrier program. Supervisors Hallinan, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 176-94-003.

[Sprint Corporation Layoffs]
Hearing to consider the recent decision by Sprint Corp. to close down its local affiliate, La Conexion Familiar and to lay off its over 200 employees one week prior to a vote by said employees to affiliate with a labor union. Supervisors Hallinan, Leal, Alioto, Maher, Bierman, Shelley presented. Referred to Government Efficiency/Labor Committee.

File 176-94-004.

Motions

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar July 25, 1994.

File 030-94-001.14.

Introduced by the President at the Request of Departments

Ordinance Referred to Committee

File 065-94-015. [Lease Renewal, 25 Van Ness Ave, Bull's Texas Cafe] Ordinance authorizing and approving the renewal of a lease of space in City-owned property at 25 Van Ness Avenue, consisting of a portion of the ground floor, to Liu's Family and Restaurant Management, Inc., commencing retroactively as of July 1, 1994. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

Resolutions Referred to Committee

File 047-94-009. [Parking, Monthly Rate, 16th and Hoff Street Garage] Resolution approving a monthly parking rate of $50.00 at the 16th and Hoff Street Garage. (Department of Parking and Traffic) Referred to Budget Committee.

File 047-94-010. [Parking/Monthly Rate/Golden Gateway Garage/for INS] Resolution approving a monthly parking rate for the Immigration and Naturalization Service vehicles at the Golden Gateway Garage. (Department of Parking and Traffic) Referred to Budget Committee.

File 199-94-003.01. [Angel Island Minor Boundary Change] Resolution abandoning a proposal by the County of Marin to change the boundary lines of the City and County of San Francisco to remove certain portions of Angel Island known as East Garrison and Point Blunt from the City and County of San Francisco and place all of Angel Island within Marin County, and to make minor technical changes in said boundary lines at Red Rock to place all of Red Rock in San Francisco and Contra Costa counties. (Also see Files 199-94-1, 199-94-2 and 199-94-3) (Clerk of the Board) Scheduled for public hearing on Board Calendar July 25, 1994 at 3:00 p.m.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Kennedy, that letter be sent to the District Attorney concerning due process issues as they relate to the procedures used by the Juvenile Probation Commission in their proposed removal of the Chief Probation Officer and appointment of the Chairman of the Juvenile Justice Commission to the position of Secretary of the Juvenile Probation Commission to determine whether there has been any violation of the Brown Act or the Sunshine Ordinance.

By Supervisor Leal, that letter of inquiry be sent to General Manager, Recreation and Park Department concerning sale of grapes at Candlestick Park to remind the department that the Board of Supervisors adopted Resolution Number 955-88 which established as policy that the City and County of San Francisco shall not purchase non-union table grapes for use in county facilities for as long as the boycott lasts and discourage the use of non-union grapes throughout the City and County of San Francisco.

By Supervisor Maher, that City Attorney draft amendment of the whole to charter amendment to leave the Department of Parking and Traffic as is, except to transfer the Parking Control Officers and the enforcement function back to the Police Department. File 267-94-1.

By Supervisor Bierman, that City Attorney draft ordinance to impose a license fee for automatic teller machines (ATM).

By Supervisors Hallinan, Alioto, that letter be sent to City Attorney to inquire whether an environmental impact report is necessary for the retrofit of the Central Freeway.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Della Hobson (By the entire Board)
Nana Ligsay (Supervisors Alioto, Bierman)
Aletha Ellis (Supervisor Kennedy)
Estelle Ellis (Supervisor Kennedy)
John Yehall Chin (Supervisors Hsieh, Maher)
Pierre Ludington (By the entire Board)

File 2-94-29

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 5:36 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 15, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, July 25, 1994

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 89 Number 30

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, July 25, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:15 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden - 8.

Noted absent at first roll call:

Supervisors Bierman, Kennedy, Shelley - 3.

Quorum present.

Supervisor Bierman was noted present at 2:17 p.m.

Supervisor Kennedy was noted present at 2:23 p.m.

Supervisor Shelley was noted present at 2:18 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Migden, seconded by Supervisor Hallinan, moved that the Journal of Proceedings for Monday, June 27, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden - 8.

Absent: Supervisors Bierman, Kennedy, Shelley - 3.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Superior and Municipal Courts]
Ordinance appropriating $9,722,458, Superior and Municipal Courts, courthouse construction funds for capital improvement project for fiscal year 1994-95; placing $2,769,323 on reserve. (Supervisor Alioto)

File 101-93-118, Ordinance No. 289-94

Finally passed.

[Reclassification of Property]
Ordinance amending City Planning Code by amending the Zoning Map for property in the Civic Center area, generally bounded by McAllister and Polk Streets, Redwood Alley, and Van Ness Avenue, to reclassify Assessor's Block 766, Lots 4 and 5 from a "C-2" Use District to a "P" Use District; and to reclassify Assessor's Block 766, Lots 2, 3, 4 and 5 from a 70-X Height and Bulk District to an 80-X Height and Bulk District; adopting City Planning Resolution approving findings related to the eight priority policies of City Planning Code Section 101.1. (Supervisors Hsieh, Alioto)

File 36-94-4, Ordinance No. 272-94

Finally passed.

[Appropriation, Dept. of Public Works, $92,166]
Ordinance appropriating and certifying $92,166, Department of Public Works, for capital improvement project (sewer lining) to cover ten percent overage as per Charter Section 7.203; providing for ratification of action previously taken, for fiscal year 1994-95. (Supervisor Alioto)

File 101-94-3, Ordinance No. 290-94

Finally passed.

[County Clerk-Recorder, Cost Recovery Fees]
Ordinance amending Administrative Code by amending Section 8.33, authorizing the County Clerk-Recorder to increase fees otherwise set by state law to reflect the actual cost of providing certain records and services. (Supervisor Alioto)

File 97-94-44, Ordinance No. 288-94

Finally passed.

[Administrative Fee - Towing]
Ordinance amending Traffic Code, providing for the collection of an administrative fee for the towing of vehicles under certain conditions and ordered by the Police Department, and amending the Administrative Code by amending Section 10C.1. (Supervisor Migden)

File 124-94-8, Ordinance No. 292-94

(Amends Traffic Code by adding Section 170.2-A and 170.2-B;
Amends Administrative Code Section 10C.1.)

Finally passed.

Passed for Second Reading

[Appropriation, Dept. of Public Works, $1,545,654]
Ordinance appropriating $1,545,654, Department of Public Works, from the 1989 Earthquake Safety Bond Fund interest earnings for capital improvements to the Palace of the Legion of Honor for fiscal year 1994-95. (Supervisor Alioto)

File 101-94-4, Ordinance No.

Passed for second reading.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport, Lease Modification, American Airlines, Inc.]
Ordinance approving Modification No. 5 of Lease and Use Agreement between American Airlines, Inc., and San Francisco, acting by and through its Airports Commission; retroactively from May 1, 1994 to June 30, 2011. (Airports Commission)

File 27-94-9, Ordinance No. 269-94

Finally passed.

[Airport, Lease Modification #3, Mexicana Airlines]
Ordinance approving Modification No. 3 of Lease and Use Agreement between Mexicana Airlines, Inc., and San Francisco, acting by and through its Airports Commission; retroactively from May 1, 1994 to June 30, 2011. (Airports Commission)

File 27-94-10, Ordinance No. 271-94

Finally passed.

[Airport, Lease Modification #2, Philippine Airlines]
Ordinance approving Modification No. 2 of Lease and Use Agreement between Philippine Airlines, Inc., and San Francisco, acting by and through its Airports Commission; retroactively from May 1, 1994 to June 30, 2011. (Airports Commission)

File 27-94-11, Ordinance No. 270-94

Finally passed.

[Settlement of Litigation, Paul Stribling]
Ordinance authorizing settlement of litigation of Paul Stribling against the City and County by payment of $50,000. (City Attorney)

File 45-94-30, Ordinance No. 284-94

(Superior Court No. 951-399)

Finally passed.

[Settlement of Litigation, Leon Delarosa]
Ordinance authorizing settlement of litigation of Leon Delarosa against the City and County by payment of $25,000. (City Attorney)

File 45-94-36, Ordinance No. 273-94

(Superior Court No. 942-452)

Finally passed.

[Settlement of Litigation, Judith Alabdi]
Ordinance authorizing settlement of litigation of Judith Alabdi against the City and County by payment of $30,000. (City Attorney)

File 45-94-37, Ordinance No. 274-94

(Superior Court No. 951-047)

Finally passed.

[Settlement of Litigation, Sheila Gropper Nelson]
Ordinance authorizing settlement of litigation of Sheila Gropper Nelson against the City and County by payment of $10,000. (City Attorney)

File 45-94-38, Ordinance No. 275-94

(Municipal Court No. 082-772)

Finally passed.

[Settlement of Litigation, Linda Linares]
Ordinance authorizing settlement of litigation of Linda Linares against the City and County by payment of $9,200. (City Attorney)

File 45-94-39, Ordinance No. 276-94

(Superior Court No. 952-337)

Finally passed.

[Settlement of Litigation, Ramon Navarro]
Ordinance authorizing settlement of litigation of Ramon Navarro against the City and County by payment of $7,001.28. (City Attorney)

File 45-94-40, Ordinance No. 277-94

(Superior Court No. 949-592)

Finally passed.

[Settlement of Litigation, Estate of Carl Donnelly]
Ordinance authorizing settlement of litigation of City and County against A-1 Construction and Development Co., et al., upon receipt of $20,000. (City Attorney)

File 46-94-8, Ordinance No. 278-94

(Superior Court No. 944-079)

Finally passed.

[Lease, Twin Peaks Mobil Gas Station]
Ordinance authorizing and approving a negotiated lease with Michael Gharib, dba Twin Peaks Mobil, of certain City-owned land at the northeast corner of Portola Drive and Woodside Avenue, without competitive bidding. (Real Estate Department)

File 65-94-11, Ordinance No. 279-94

Finally passed.

[Lease, AIDS Foundation, 25 Van Ness Avenue]
Ordinance authorizing and approving the renewal of a lease of space in City-owned property at 25 Van Ness Avenue, consisting of portions of floors 3, 6 and 7, to the San Francisco AIDS Foundation, a non-profit corporation, commencing August 1, 1994. (Supervisors Alioto, Migden)

File 65-94-12, Ordinance No. 280-94

(Fiscal Impact.)

Finally passed.

[Caltrans, Permit to Use City-owned Property]
Ordinance authorizing the State of California Department of Transportation to use City-owned property at Army Street and Bayshore Boulevard; adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 65-94-13, Ordinance No. 281-94

(Fiscal Impact.)

Finally passed.

[Port Lease, South West Marine, Inc.]
Ordinance approving First Amendment to Lease Agreement between South West Marine, Inc. (dba San Francisco Drydock, Inc.) and the City and County, operating by and through the Port Commission for ship repair operations at Pier 70. (Supervisors Migden, Shelley)

File 65-94-14, Ordinance No. 282-94

(Fiscal Impact.)

Finally passed.

[Fiscal Provisions, DA Investigators]
Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the City and County and the District Attorney Investigators' Association for the period July 1, 1994 through June 30, 1995. (Employee Relations Division)

File 93-94-20.1, Ordinance No. 283-94

(Fiscal Impact.)

Finally passed.

[Local Hiring - Contract Procedure]
Ordinance amending the Administrative Code (Contract Procedure) requiring that all city construction contracts within the boundaries of the City and County include a provision requiring prime contractors to make good faith efforts to hire San Francisco residents to comprise no less than 50 percent of their total construction work force. (Supervisors Hallinan, Alioto, Kaufman, Kennedy, Leal, Migden, Shelley)

File 97-94-25, Ordinance No. 286-94

(Fiscal Impact.)

(Adds Section 6.56.)

(June 20, 1994 - Rereferred to Committee by the Board.)

Finally passed.

[Street Artist Hearing Procedure]
Ordinance amending Police Code to revise procedures for the suspension or revocation of street artist certificates. (Supervisors Hallinan, Alioto)

File 121-94-7, Ordinance No. 291-94

(Amends Sections 2401, 2408 and 2409.)

Finally passed.

Passed for Second Reading

[Airport, Lease Modification, United Air Lines, Inc.]
Ordinance approving Modification No. 2 Land Lease No. 73-0066 between United Air Lines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-94-12, Ordinance No.

Passed for second reading.

[Settlement of Litigation, Albert Walker]
Ordinance authorizing settlement of litigation of Albert C. Walker against the City and County by payment of $20,000. (City Attorney)

File 45-94-41, Ordinance No.

(Superior Court No. 954-877)

Passed for second reading.

[Settlement of Litigation, Dawn Walker]
Ordinance authorizing settlement of litigation of Dawn Walker against the City and County by payment of $77,500 and vocational rehabilitation benefits of $23,680. (City Attorney)

File 45-94-43, Ordinance No.

(United States District Court No. C91-1190 SAW)

Passed for second reading.

[Settlement of Litigation, Curtis Cox]
Ordinance authorizing settlement of litigation of Curtis Cox against the City and County by payment of $7,500. (City Attorney)

File 45-94-44, Ordinance No.

(Superior Court No. 943-486)

Passed for second reading.

[Settlement of Lawsuit, Patrick Yick]
Ordinance authorizing settlement of Patrick Yick v. Bruce Collier, et al., upon receipt of the sum of $37,500 and dismissal of complaint. (City Attorney)

File 46-94-9, Ordinance No.

(United States District Court No. C-92-05007 FMS)

Passed for second reading.

[Moscone Center Garage, Management Agreement]
Ordinance approving form of Moscone Center Garage Management Agreement and bid documents and authorizing Director of Property to request bids for management of Moscone Center Garage using those documents. (Real Estate Department)

File 47-94-8, Ordinance No.

Passed for second reading.

Adopted

[Contract Out, Victim Witness Services]
Resolution concurring with the Controller's certification that assistance to certain victims of crime and education in community anti-street violence can be practically performed for the District Attorney's Victim Witness Assistance Program by a private contract for lower cost than similar work services performed by City and County employees. (District Attorney)

File 25-94-23, Resolution No. 737-94

Adopted.

[Contract Out, Pretrial Diversion Program]
Resolution approving the Controller's certification that the Pretrial Diversion Program for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1994, than if work were performed by City and County employees. (Sheriff)

File 25-94-24, Resolution No. 666-94

Adopted.

[Contract Out, Own Recognizance Project]
Resolution approving the Controller's certification that the San Francisco "O.R." Project for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1994, than if work were performed by City and County employees. (Sheriff)

File 25-94-25, Resolution No. 667-94

Adopted.

[Contract Out, Eviction Assistance Program]
Resolution approving the Controller's certification that the Eviction Assistance Program for the City and County can practically be performed by private contractor at a lower cost for the year commencing July 1, 1994, than if work were performed by City and County employees. (Sheriff)

File 25-94-26, Resolution No. 668-94

Adopted.

[Gift Acceptance, Ikebana Int'l/Strybing Arboretum Society]
Resolution accepting two gifts valued at $102,059.43 for use by the Recreation and Park Department. (Supervisor Alioto)

File 38-94-11, Resolution No. 669-94

Adopted.

[Settlement of Claim, Raquel Picazzo]
Resolution approving the settlement of the unlitigated claim of Raquel Picazzo by payment of $20,500. (City Attorney)

File 48-94-14, Resolution No. 670-94

Adopted.

[Claim Settlement, Patricia, Joanne and Diane Webster]
Resolution approving the settlement of the unlitigated claim of Patricia, Joanne and Diane Webster by payment of $7,500. (City Attorney)

File 48-94-15, Resolution No. 671-94

Adopted.

[Settlement of Claim, Kathleen Ann Bowler]
Resolution approving the settlement of the unlitigated claim of Kathleen Ann Bowler by payment of $14,000. (City Attorney)

File 48-94-16, Resolution No. 672-94

Adopted.

[Contract Award Extension]
Resolution granting extension of time for awarding Water Department Contract No. WD-2151, 8-Inch Ductile Iron Main Installation in Sutter Street between Larkin and Webster Streets. (Public Utilities Commission)

File 61-94-4, Resolution No. 673-94

Adopted.

[Lease of Real Property, 80 Charter Oak]
Resolution authorizing a lease of real property at 80 Charter Oak, for the Department of Parking and Traffic. (Real Estate Department)

File 64-94-12, Resolution No. 674-94

Adopted.

[Mutual Aid Agreement, Hetch Hetchy Water & Power]
Resolution authorizing the General Manager of Hetch Hetchy Water and Power to join a mutual aid agreement whereby party members help each other in emergency situations. (Public Utilities Commission)

File 172-94-24, Resolution No. 683-94

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Finally Passed

(See Journal of Proceedings of August 8, 1994
for Disapproval by the Mayor of Line Items.)

[Annual Appropriation Ordinance, fiscal year 1994-95]
Ordinance appropriating all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1995. (Mayor)

File 101-94-2, Ordinance No.

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Noes: Supervisors Conroy, Maher - 2.

Absent: Supervisor Kennedy - 1.

[Annual Salary Ordinance]
Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for the fiscal year ending June 30, 1995, continuing, creating or establishing these positions; enumerating and including therein all positions created by Charter or State law for which compensations are paid from City and County funds and appropriated in the Annual Appropriation Ordinance; authorizing appointments or continuation of appointments thereto; specifying and fixing the compensations and work schedules thereof; and authorizing appointments to temporary positions and fixing compensations thereof. (Civil Service Commission)

File 102-94-2, Ordinance No. 293-94

Finally passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Leal, Migden, Shelley - 8.

Noes: Supervisors Conroy, Maher - 2.

Absent: Supervisor Kennedy - 1.

Recommendation of Rules Committee

Finally Passed

[Retirement Board Elections]
Ordinance amending the Administrative Code, regarding Retirement Board elections pursuant to Proposition R adopted by the voters November 1993. (Supervisor Alioto)

File 97-94-38, Ordinance No. 287-94

(Amends Sections 16.550 through 16.564.)

Finally Passed by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kennedy - 1.

From Rules Committee with Recommendation "Do Submit"

Ordered Submitted

[Ballot Measure, Domestic Partners]
Charter amendment (First Draft) to amend the charter by adding Section 8.500-2 relating to domestic partners. (Supervisors Migden, Leal, Kaufman, Alioto, Shelley, Maher, Bierman)

File 262-94-1

(July 18, 1994 - Consideration continued to July 25, 1994.)

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Ballot Measure, Establish Commission/Status of Women]
Charter amendment (Second Draft) to amend the charter by adding Section 3.708 to establish a Commission on the Status of Women and amending Section 8.107 to provide that members of the Commission on the Status of Women may be removed only for cause. (Supervisors Maher, Leal, Shelley, Conroy, Bierman, Alioto, Migden, Hsieh)

File 265-94-1

(July 18, 1994 - Consideration continued as amended to July 25, 1994.)

Ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisor Hsieh requested to be added as co-sponsor.

[Ballot Measure, Salary Reform]
Charter amendment (Fourth Draft) to amend by deleting Sections 8.400(h), 8.401, 8.401-1 and 8.407, and by amending Sections 8.409, 8.409-1, 8.409-3 and 8.409.4; and amending or deleting Sections 8.403, 8.404 and 8.590-1 through 8.590-7 relating to the compensation and collective bargaining of City employees and officers. (Supervisors Shelley, Kaufman, Conroy, Alioto, Migden, Hsieh)

File 273-94-1

(July 18, 1994 - Consideration continued to July 25, 1994.)

Supervisor Hallinan, seconded by Supervisor Bierman, moved to amend page 26 by restoring the language proposed to be deleted concerning appeal to the Board of Supervisors.

Motion to amend failed adoption by the following vote:

Ayes: Supervisors Bierman, Hallinan - 2.

Noes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

The roll was then called on the fourth draft and it was ordered submitted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisors Migden, Hsieh requested to be added as co-sponsors.

<u>From Budget Committee "Without Recommendation"</u>

<u>Recommendation of Government Efficiency and Labor Committee</u>

Consideration Continued

[In-Home Supportive Services Contract Award 1994/97]
Resolution finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter of San Francisco and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract to National Homecare Systems. (Department of Social Services)

File 172-94-14, Resolution No. 688-94

(April 18, 1994 - Public hearing held. Referred to Government Efficiency and Labor Committee.)

(May 9, 1994 - Referred to Budget Committee.)

(May 31, 1994 - Consideration continued to July 25, 1994.)

Supervisor Bierman, seconded by Supervisor Conroy, moved to continue consideration to August 1, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair so the President could participate in the debate from the floor.

Called From Rules Committee by Supervisor Alioto

Tabled

[Ballot Measure, Youth Commission]
Charter amendment (Fourth Draft) adding Section 3.720 to establish a Youth Commission. (Supervisors Alioto, Shelley, Hallinan, Hsieh, Kennedy)

File 271-94-1

(July 18, 1994 - Consideration continued to July 25, 1994.)

Supervisor Alioto, seconded by Supervisor Bierman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Fire Department, $90,436]
Ordinance appropriating, $90,436, Fire Department, of 1992 Fire Protection Bond interest earnings for capital improvement project , for fiscal year 1994-95, (replacement of diesel fuel tank at Station 13); placing $69,850 on reserve. (Supervisor Alioto)

File 101-94-5, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Alioto - 1.

[Appropriation, Fire Department, $2,490,000]
Ordinance appropriating, $2,490,000, Fire Department, from 1986 Fire Protection System Improvement Bond Fund-interest earned to capital improvement project (extension of the auxiliary water supply system) of the Fire Department for fiscal year 1994-95; placing $2,090,000 on reserve. (Supervisor Alioto)

File 101-94-6, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Alioto, Maher - 2.

Consideration Continued

[Supportive Housing Service Fund]
Ordinance amending Administrative Code, to establish a Supportive Housing Service Fund. (Supervisors Bierman, Alioto, Hsieh)

File 97-94-42, Ordinance No.

(Fiscal Impact.)

(Adds Section 10.117-113.)

Supervisor Bierman, seconded by Supervisor Maher, moved to continue consideration to August 1, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

The President resumed the Chair.

Adopted

[Patient Day Rates for Fiscal Year 1994-95]
Resolution fixing patient day rates for services furnished by City and County health care institutions and rescinding Resolution No. 458-93. (Supervisor Alioto)

File 30-94-18, Resolution No. 664-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Noise Easement Acquisition]
Resolution authorizing the acquisition of 871 noise easements in the City of Daly City, 222 noise easements in the City of Pacifica, 750 noise easements in the City of San Bruno and 1,693 noise easements in the City of South San Francisco as a part of the Airport master plan's memorandum of understanding between the Airport and its neighboring communities. (Supervisor Alioto)

File 82-94-6, Resolution No. 675-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Acquisition of Property, 23rd/Treat Streets]
Resolution authorizing acquisition of real property identified as Assessor's Block 3639, Lots 5 and 5A (23rd and Treat Streets) for open space purposes (Mission District Park) and adopting findings pursuant to City Planning Code Section 101.1. (Supervisors Leal, Hsieh, Alioto, Bierman)

File 84-94-3, Resolution No. 676-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Schultz vs. CCSF]
Ordinance authorizing settlement of litigation of Schultz against the City and County, Robert Passmore, Terry Milne and the Bernal Heights East Slope Design Review Board by payment of $70,000. (Supervisor Bierman)

File 45-94-42, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Adopted

[Grant - California Arts Council for Fiscal Year 94-95]
Resolution authorizing the Art Commission to apply for, retroactively, accept and expend $30,000 of California Arts Council funds which provides a network to artists to facilitate live/work space, and for community arts and education, which provides granting, arts education development for programming, technical assistance and publications and resources to community organizations; Arthouse Manager and Arts Education Coordinator are the positions for which partial funding is being requested; two percent indirect costs will be included. (Supervisor Alioto)

File 132-94-1, Resolution No. 677-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Consideration Continued

[Grant, Suppression of Drug Abuse in Schools Program]
Resolution authorizing the Chief of Police to apply for, retroactively, accept and expend funds in the amount of $100,000, which includes indirect costs of $6,000, based on five percent of the total project cost of $120,000, for new funding for a project entitled "Suppression of Drug Abuse in the Schools Program" and agreeing to provide twenty percent cash match in the amount of $20,000. (Police, Supervisors Leal, Alioto)

File 143-94-3, Resolution No.

Supervisor Leal, seconded by Supervisor Maher, moved to continue consideration to August 1, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisors Leal, Alioto requested to be added as co-sponsors.

Adopted

[Grant, Anti-Drug Abuse Enforcement Program]
Resolution authorizing the Chief of Police to apply for, retroactively, accept and expend funds in the amount of $133,948, which includes indirect costs of $6,697, based on five percent of the total grant award, for continual funding for a project entitled "Anti-Drug Abuse Enforcement Program". (Supervisors Leal, Alioto)

File 143-94-5, Resolution No. 678-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Consideration Continued

[Grant, Crime Prevention Expansion, Mission Corridor]
Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of $164,175, which includes indirect costs of $10,260, based on approximately five percent of the total project cost, for continuation funding for a project entitled "Crime Prevention Expansion Project: "Mission Corridor" and agreeing to provide a twenty percent cash match in the amount of $41,044. (Supervisors Leal, Alioto)

File 143-94-6, Resolution No.

(Fiscal Impact.)

Supervisor Leal, seconded by Supervisor Maher, moved to continue consideration to August 1, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Adopted

[Grant - State, Adolescent Nutrition and Fitness]
Resolution authorizing the Department of Public Health, Community Public Health Services, to apply for, retroactively, accept and expend a grant of $10,000, which includes indirect costs in the amount of $1,250, based on 12.5 percent of direct costs from California Adolescent Nutrition and Fitness Program, for planning a program of action for adolescent nutrition and fitness in the Southeast area of San Francisco. (Supervisor Alioto)

File 146-94-16, Resolution No. 679-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grant - State, Legalized Indigent Medical Services]
Resolution authorizing the Department of Public Health, Central Administration, to accept and expend the fiscal year 1993-94 allocation of up to $750,000, which includes indirect costs of approximately ten percent of personnel costs, from the State Department of Health Services for Legalized Indigent Medical Assistance (LIMA) funds under the Immigration Reform and Control Act (IRCA); providing for ratification of action previously taken. (Department of Public Health)

File 146-94-17, Resolution No. 680-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grant - State, Chronic/Terminal Illness]
Resolution authorizing the Public Library to apply for an amount not to exceed $150,000 in funds available through the California State Library from Title I of the (Federal) Library Services and Construction Act for providing volunteer-based library services for homebound chronically and terminally ill San Franciscans for fiscal year 1994-1995; indirect costs are included in these funds. (Supervisor Alioto)

File 147-94-5, Resolution No. 681-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grant - State, Drug Abatement Project]
Resolution authorizing retroactively the Sheriff of the City and County to apply for, accept and expend funds in the amount of $54,900, which include indirect costs in the amount of $2,670 based on five percent of the project costs less audit expenses, made available through the Office of Criminal Justice Planning for a project entitled "San Francisco Sheriff's Drug Abatement Project." (Sheriff)

File 152-94-2, Resolution No. 682-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Municipal Railway Platform Maintenance Agreement]
Resolution approving Transit Shelter and Joint Use Agreement between the City and the Board of Trustees of the California State University. (Public Utilities Commission)

File 172-94-26, Resolution No. 684-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grand Jury Recommendations]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1993-94 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to Recreation and Park Department Golf Course Management. (Government Efficiency and Labor Committee)

File 39-94-6

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

[Grand Jury Recommendations]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1993-94 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Department of Social Services and Foster Care in San Francisco. (Government Efficiency and Labor Committee)

File 39-94-9

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Recommendation of Select Committee on Base Closures

Adopted

[Treasure Island]
Resolution establishing the policy of the City and County to oppose the lease or transfer of property to the Immigration and Naturalization Services on Treasure Island for purposes of establishing an INS detention center. (Supervisors Shelley, Alioto, Bierman)

File 244-94-11, Resolution No. 686-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Called from Rules Committee by Supervisor Maher

(Pursuant to the provisions of Rule 5.5 of the Board's Rules of Order, at least seven days must intervene between the first appearance of a proposed Charter amendment before the Board as a referral from Committee and any Board order of submission to the electorate.

In accordance therewith, consideration of the following proposed Charter amendments appropriately may be continued at least one week.)

Consideration Continued as Amended

[Ballot Measure, Parking and Traffic Department and Commission]
((Charter amendment (First Draft) deleting Sections 3.698, 3.698-1, 3.698-2 and 3.698-3 relating to the Parking and Traffic Commission and the Department of Parking and Traffic, powers, duties of Commission and composition and organization of Department; amending Sections 3.510 to vest specified powers and duties relating to street traffic in the Department of Public Works; amending Section 3.538 to

substitute the Department of Public Works for the Department of Parking and Traffic as the department to receive traffic accident reports and to submit plans for traffic control; amending Section 3.552 relating to the powers and duties of the Park Commission; amending Section 7.403 to transfer from the Parking and Traffic Commission to the Recreation and Park Commission the power, subject to specified conditions, to lease parking facilities under a park, square or playground.)) (Supervisor Maher)

Charter amendment (Second Draft) amending Sections 3.583 and 3.698-3 to transfer the function of administering the control and management of parking control officers from the Department of Parking and Traffic to the Chief of Police.

File 267-94-001

(July 18, 1994 - Called from Committee by Supervisor Maher with direction to schedule for consideration by the Board on July 25, 1994, with the intention of moving an amendment of the whole to the charter amendment to leave the Department of Parking and Traffic as is, except to transfer the Parking Control Officers and the enforcement function back to the Police Department.)

Suspension of the Rules

Supervisor Maher, seconded by Supervisor Hallinan, moved that the time limits prescribed in Rule 5.5 of the Rules of Order of the Board of Supervisors be suspended to permit consideration of the above Charter amendment today.

Motion adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Supervisor Maher, seconded by Supervisor Hallinan, moved an amendment of the whole entitled, "Charter amendment (Second Draft) amending Sections 3.583 and 3.698-3 to transfer the function of administering the control and management of parking control officers from the Department of Parking and Traffic to the Chief of Police."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Noes: Supervisors Conroy, Kaufman, Leal, Migden - 4.

The roll was then called on the pending charter amendment (Second Draft) as amended and it was refused submission by the following vote:

Ayes: Supervisors Bierman, Hallinan, Kennedy, Maher, Shelley - 5.

Noes: Supervisors Alioto, Conroy, Hsieh, Kaufman, Leal, Migden - 6.

Supervisor Maher, seconded by Supervisor Kennedy, moved to rescind the previous vote:

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Noes: Supervisors Conroy, Kaufman, Leal, Migden - 4.

Supervisor Maher, seconded by Supervisor Bierman, moved to continue consideration as amended to August 1, 1994.

Motion to continue consideration as amended adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher, Shelley - 7.

Noes: Supervisors Conroy, Kaufman, Leal, Migden - 4.

SPECIAL ORDER - 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to permitting advertising on public service kiosks associated with public toilets and to consider proposed amendments of the automatic public toilet and public service kiosk agreement as follows: expanded hours of operation; expanded maintenance obligations; reducing the minimum number of toilets and related kiosks to be provided; revising related conditions of the agreement; establish a two-year trial period after which the automatic public toilet portion of the program could be terminated; providing for continued operation of the public service kiosks if the automatic public toilet portion of the program is terminated; and revising provisions relating to JCDecaux's obligations to share advertising revenue with the city.

File 115-93-8.3

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

In favor of proposal: Stanley Pauer; Shelley Elvira Salieri; Lisa Salieri; Edward Evans; Donna Hoselkoff; Mark Gruberg; Emily Papert; Paul Wells; David Kaye; John Barberg; Bob Planco; August Longo; Maria Martinez; Mr. Warren; David; Bill Tocco; Mr. Spain.

In opposition of proposal: Carolyn Diamond; Richard Wayne.

Committee of the Whole Rise and Report Without Recommendation

Reconsideration by Board

Adopted

[Final Negative Declaration]
Resolution adopting Final Negative Declaration, finding and determining that the amendment of Planning Code Sections 603, 605 and 608 to permit advertising on public service kiosks associated with public toilets, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Supervisors Alioto, Maher, Kennedy, Conroy)

File 115-93-8.2, Resolution No. 619-94

(June 27, 1994 - Refused Adoption.
(July 1, 1994 - Returned by Mayor requesting reconsideration.)
(July 18, 1994 - Consideration continued to July 25, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kennedy, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisors Bierman, Hsieh, Kaufman - 3.

Passed for Second Reading

[Public Toilet Advertising]
Ordinance amending City Planning Code to permit advertising on public service kiosks associated with public toilets and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 115-93-8.2. (Supervisors Alioto, Maher, Kennedy, Conroy)

File 115-93-8, Ordinance No.

(Amends Sections 603, 605 and 608.)

(June 27, 1994 - Refused Adoption.
(July 1, 1994 - Returned by Mayor requesting reconsideration.)
(July 18, 1994 - Consideration continued to July 25, 1994.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kennedy, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisors Bierman, Hsieh, Kaufman - 3.

Consideration Continued as Amended

[Automatic Public Toilet Program]
Resolution authorizing the Director of Public Works to enter into an agreement with JCDecaux United

Street Furniture, Inc. to provide for the placement of automatic public toilets on public property in San Francisco in exchange for the right to place public service kiosks on public property and to sell advertising on said kiosks; companion measure to Files 115-93-8 and 115-93-8.2. (Supervisors Alioto, Maher, Kennedy, Conroy, Shelley, Migden, Hallinan)

File 115-93-8.1, Resolution No.

(June 27, 1994 - Refused Adoption.
(July 1, 1994 - Returned by Mayor requesting reconsideration.)
(July 18, 1994 - Consideration continued to July 25, 1994.)

Supervisor Conroy, seconded by Supervisor Kennedy, moved an amendment of the whole bearing same title as above.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

Supervisor Maher, seconded by Supervisor Conroy, moved to continue consideration as amended to August 1, 1994.

Motion to continue consideration as amended adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 11.

In connection with the above item, Supervisors Shelley, Migden, Hallinan requested to be added as co-sponsors.

SPECIAL ORDER 3:00 P.M.

Amended; Hearing Held

[Public Hearing]
Hearing to consider increasing the Real Property Transfer Tax rate to $5.00 from $2.50 for each $500 of consideration or value of the property conveyed for transfers in which the consideration or value of the property conveyed exceeds $250,000. (Supervisor Bierman)

File 127-94-5.1

(A second public hearing as required by State law will be held on August 29, 1994.)

Supervisor Bierman, seconded by Supervisor Hsieh, moved an amendment of the whole entitled, "Ordinance amending Part III of the Municipal Code by amending Section 1102 of the Real Property Transfer Tax Ordinance to increase the tax rate to $5.00 from $2.50 for each $500 of consideration or value of the property conveyed for transfers in which the consideration or value of the property conveyed exceeds $250,000." (for technical amendments.)

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Migden - 6.

Noes: Supervisors Conroy, Kennedy, Leal, Maher, Shelley - 5.

The President then inquired if anyone present wished to speak.

The privilege of the floor was granted to the following persons:

In favor of proposal: Shelley Salieri; Center for Special Problems; Norman Rolf; Edith McMillan; Patricia Vaughey; Paul R. Wagoner; Brook A. Turner; Robert Pender; Swords to Plowshare; Ms. Benaflores; Steve Neoni; Public Health Coalition; John Palley.

In opposition of proposal: Jim Fabris; Patricia Vaughey; Tim Carrico; Sue Lee; female speaker; female speaker; Kathy Anderson; female speaker; Sage Johnson.

No position given: Edith McMillan.

Appointment of President Pro Tempore

At the request of the President, Supervisor Hallinan assumed the Chair.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing of persons interested in or objecting to approving a change in the boundary lines of the City and County of San Francisco to remove certain portions of Angel Island known as East Garrison and Point Blunt from the City and County of San Francisco and place all of Angel Island within Marin County and to make technical changes in said boundary lines at Red Rock to place all of Red Rock in San Francisco and Contra Costa Counties; and adopting findings that the boundary change is consistent with the City's master plan and eight priority policies of City Planning Code Section 101.1.

File 199-94-2

(July 11, 1994 - Consideration continued to July 25, 1994.)

The Clerk reported that Marin County has withdrawn their request for a boundary change and the San Francisco Board of Supervisors has filed a formal protest.

The President inquired if anyone present wished to speak.

There being no one present wishing to speak, the President declared the hearing closed.

From the Clerk

Adopted

[Angel Island and Red Rock Minor Boundary Change]
Resolution abandoning a proposal by the County of Marin to change the boundary lines of the City and County of San Francisco to remove certain portions of Angel Island known as East Garrison and Point Blunt from the City and County of San Francisco and place all of Angel Island within Marin County, and to make minor technical changes in said boundary lines at Red Rock to place all of Red Rock in San Francisco and Contra Costa Counties. (Clerk of the Board)

File 199-94-3.1, Resolution No. 685-94

Adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Hsieh, Kaufman, Leal, Maher, Migden - 7.

Absent: Supervisors Alioto, Conroy, Kennedy, Shelley - 4.

SPECIAL ORDER 5:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

Hearing Held

[Public Hearing]
Hearing of persons interested in the Charter amendment to repeal the 1932 Charter and to enact a new Charter.

File 261-94-2

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

In favor of proposal: Ann Halsted; Jerry Zagorites; Anthony Prud'Homme; Joseph Warren; Ray Surpond; Karen Coleman; Tom Mellon; Mark Miller; North of Market Coalition; Jim Gonzalez; Wilson Chang; Craighton Lee; Edith McMillan; Jim Haas; Harmon Schrugge, Jr.;Steven Cornell; David Isham; Michael Alexander; Nora Klebow; Woodrow Kingman; David van der Griff; Evelyn Wilson; Jim Fabris; Elsa Mae Roberts; Steve Kolm; Joe Van Ness; Holly Nair; Karen Crommie; Fred Badalamente; Richard Brandi; Lee Munson; Tom Nolan; Walter G. Jebe.

In opposition of proposal: Shelley Salieri; Paul D. Hardman; Sue Hestor; Patrick Lynch; Randy Shaw; Calvin Welch; David; Wai Ching Kwan; John Bardis; Norman Rolf; Doug Comstock; Chris Bowman;

Joel Ventresca; Terry Hogan; Robert Pender.

No position: Marsha Rosen; Kola Akintola-Thomas; Bill; Peter Henschel; Charlotte Berk; Patricia Vaughey; Rita Trish; Essie Mar; John Barbey; Clifford Mortay; Edward Evans.

Committee of the Whole Rise and Report Without Recommendation

From Rules Committee with Recommendation "Do Submit"

Refused Submission as Amended

[Ballot Measure, New Charter]
Charter amendment (((Sixth)) Seventh Draft) to repeal the 1932 Charter and to enact a new Charter. (Supervisors Kaufman, Hsieh, Leal, Migden, Kennedy, Shelley, Maher)

File 261-94-1

(July 18, 1994 - Consideration continued to July 25, 1994.)

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to amend Section 4.122, page 25, line 30, item 2 by deleting the word "the" before "Section"; amend page 25, line 34 by adding the following sentence: "No person serving on a board or commission created by state law to discharge a state function specifically within the City and County may be employed as a paid staff member to a board or commission created by this charter."; and amend Section 7.102, page 37, line 33 by replacing "Any" with "No" before "member".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisors Bierman, Conroy, Hallinan - 3.

Supervisor Kennedy, seconded by Supervisor Hsieh, moved to amend Section 4.128, page 28, line six, by adding the following sentence: "Commission designation of beats or territories shall not affect the ability of private security companies to provide on-site security services on the inside or at the entrance of any property located in the city."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Kaufman, Kennedy, Leal, Maher, Migden - 6.

Noes: Supervisors Bierman, Conroy, Hallinan, Hsieh - 4.

Absent: Supervisor Shelley - 1.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to amend Section 2.114, page six, line 15, after "officials." by adding: "This prohibition is not intended to limit the ability of the Board to impose a condition on any appropriation for the procurement of goods or services or for public works contracts, that requires a report to the Board identifying the proposed contractor, the details of the proposed contract and approval by the Board or a Board Committee before the Controller's certification pursuant to section 3.105.".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Noes: Supervisors Bierman, Conroy - 2.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to amend Section 3.100, page 8, line 26, Subsection 11, before "Appoint" by adding "Subject to the fiscal provisions of this Charter and approval by the Board of Supervisors,".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Noes: Supervisors Bierman, Conroy - 2.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to amend Section 9.100, page 39, line 22,

by adding the following language:

"The fiscal year for the city and county shall commence on the first day of July of each year and shall end on the last day of June of the next succeeding year. On or before June 30 of each year, the Board of Supervisors shall, except for equipment and capital improvements, enact an interim appropriation ordinance and not earlier than the 15th day of July, nor later than the first of August of each year, the Board of Supervisors shall adopt the proposed budget as submitted or amended and shall adopt the annual appropriation ordinance accordingly, which shall supersede the interim appropriation ordinance."; amend page 39, line 26, by deleting "1. The establishment of the City and County's fiscal year;" and renumber the remaining paragraphs.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Noes: Supervisors Bierman, Conroy - 2.

Supervisor Hsieh, seconded by Supervisor Kaufman, moved to amend page 48, line 3, by adding a new section as follows:

"Section 9.120 Contract Authority Limitations

Unless otherwise provided for in this Charter, contracts entered into by a department, board or commission having anticipated revenue to the City and County of one million dollars or more, or the modification, amendment or termination of any contract which when entered into had anticipated revenue of one million dollars or more, shall be subject to approval of the Board of Supervisors by resolution.

Unless otherwise provided for in this Charter, and with the exception of construction contracts entered into by the City and County, any other contracts or agreements entered into by a department, board or commission having a term in excess of ten years, or requiring anticipated expenditures by the City and County of ten million dollars, or the modification or amendments to such contract or agreement having an impact of more than five hundred thousand dollars ($500,000) shall be subject to approval of the Board of Supervisors by resolution."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Noes: Supervisors Bierman, Conroy - 2.

Supervisor Maher, seconded by Supervisor Hsieh, moved to amend Section 3.104, page 10, line 20, after "subject to" by adding "approval by the Board of Supervisors" and by deleting the remainder of the sentence.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher, Shelley - 6.

Noes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden - 5.

Supervisor Maher, seconded by Supervisor Hsieh, moved to amend to reflect that the Mayor's appointments of commissioners shall be confirmed by the Board of Supervisors.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Alioto, Hsieh, Leal, Maher, Shelley - 5.

Noes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Kennedy, Migden - 6.

Supervisor Maher, seconded by Supervisor Hallinan, moved to amend Section 6.100, page 34, line 20, to change "eight" years to "five" years in which the City Attorney, District Attorney and Public Defender shall have been licensed to practice law preceding election.

Motion to amend refused adoption by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Maher - 4.

Noes: Supervisors Bierman, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Supervisor Maher, seconded by Supervisor Kaufman, moved to amend Section 6.100, page 34, line 20, after "election" by adding "prior to his/her assuming office".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kaufman, Kennedy, Maher, Shelley - 7.

Noes: Supervisors Bierman, Hsieh, Leal, Migden - 4.

Supervisor Kaufman, seconded by Supervisor Hsieh, moved some technical amendments. (A list of the technical amendments are on file in the office of the Clerk of the Board.)

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Noes: Supervisor Bierman - 1.

Supervisor Kaufman, seconded by Supervisor Conroy, moved to amend Section 2.100, page one, line 39, after "paid" by adding "a salary of $23,924" and delete the remaining text.

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Hsieh, Kaufman, Maher, Shelley - 7.

Noes: Supervisors Bierman, Kennedy, Leal, Migden - 4.

Supervisor Shelley, seconded by Supervisor Leal, moved to remove the two term limit and return to the 1932 Charter as it applies to terms for commissioners as follows:

amend Section 4.101, page 13, lines 20 through 22, by deleting the entire sentence;

amend Section 4.110, page 20, line 32, after "Mayor" by adding "only pursuant to Section 15.105";

amend Section 4.111, page 20, line 38, after "Mayor" by adding "only pursuant to Section 15.105";

amend Section 4.112, page 21, line 1, after "Mayor" by adding "only pursuant to Section 15.105";

amend Section 4.113, page 21, line 13, after "Mayor" by adding "only pursuant to Section 15.105";

amend Section 4.225, page 22, line 36, after "Mayor" by adding "only pursuant to Section 15.105"; and

amend Section 15.105, page 67, line 6, by adding "Airport Commission, Health Commission, Human Services Commission, Public Utilities Commission and Recreation and Park Commission".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Leal, Maher, Shelley - 6.

Noes: Supervisors Bierman, Hsieh, Kaufman, Kennedy, Migden - 5.

Refused submission as amended by the following vote:

Ayes: Supervisors Hsieh, Kaufman, Kennedy, Leal, Shelley - 5.

Noes: Supervisors Alioto, Bierman, Conroy, Hallinan, Maher, Migden - 6.

PUBLIC COMMENT

There being no one present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote

is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Leal requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[State Ballot, Opposing Save Our State Initiative]
Resolution opposing the Save Our State ballot initiative and urging the Mayor to oppose this measure and to educate the electorate of San Francisco about this measure's negative impacts on the City and County. (Supervisors Leal, Hsieh, Alioto, Bierman, Shelley, Migden, Kennedy, Hallinan, Kaufman)

File 060-94-013, Resolution No.

(July 18, 1994 - Introduced in Board for consideration on July 25, 1994.)

At the request of Supervisor Leal referred to Health, Public Safety and Environment Committee.

In connection with the above item, Supervisors Shelley, Migden, Kennedy, Hallinan, Kaufman requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend, Jewish Film Festival]
Resolution commending the 14th Annual Jewish Film Festival. (Supervisors Migden, Shelley, Bierman)

File 006-94-046, Resolution No. 626-94

(July 18, 1994 - Introduced in Board for consideration on July 25, 1994.)

Adopted.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman)

File 030-94-001.14

(July 18, 1994 - Introduced in Board for consideration on July 25, 1994.)

Adopted.

In connection with the above item, Supervisors Leal, Bierman requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-30, Resolution No. 621-94

(Tom Hsieh, member, Board of Supervisors, August 1, 8 and 15; Katheryn Fong, member, Human Rights Commission, July 28 - 31; May Gomez Daddio, member, Human Rights Commission, July 16 - 20; Edwin M. Lee, Director, Human Rights Commission, August 25 - September 1; Frankie G. Lee, member, Port Commission, August 1 - 14; Jim Mayo, member, Human Rights Commission, July 29 - 31; Michael S. Strunsky, member, Airports Commission, July 22 - 31; Patrick A. Murphy, President, Airports Commission, July 20 - August 22, 1994.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

IMPERATIVE CALENDAR

Resolution(s), if any, to be adopted within limits imposed by the Sunshine Ordinance and the Ralph M. Brown Act, introduced today, not on the printed agenda. For such resolutions to be considered, the Board must first adopt the following motions. Each motion requires 8 votes or a unanimous 6 or 7. A unanimous vote is required for the resolution(s).

Adopted

[Purely Commendatory Finding]
Motion that the Board find by roll call vote that the resolution(s) being considered at this time are purely commendatory.

Supervisor Leal, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

[Brown Act Finding]
Motion that the Board find by roll call vote that for the resolutions being considered at this time there is a need to take immediate action and the need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Leal, seconded by Supervisor Kennedy, moved adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

Adopted

[Commend, Human Rights Commission]
Resolution commending the outstanding achievements and contributions of the Human Rights Commission in recognition of its 30th anniversary.

File 006-94-047, Resolution No. 622-94

Supervisors Leal, Alioto, Hallinan, Hsieh, Kaufman, Migden, Shelley, Conroy, Bierman, Kennedy presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

[Until There's A Cure Day]
Resolution commending the San Francisco Giants for hosting "Until There's A Cure Day" at Candlestick Park on July 31, 1994.

File 006-94-048, Resolution No. 623-94

Supervisors Alioto, Leal, Shelley, Conroy, Migden presented for immediate adoption.

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Conroy, Maher - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Landmark Designation, Balboa High School]
Ordinance designating Balboa High School as a landmark pursuant to Article 10 of the City Planning Code. Supervisors Bierman, Alioto presented. Referred to Housing and Land Use Committee with request it be considered at the August 4, 1994 meeting.

File 090-94-001.

[General Assistance Mandatory Direct Payment]
Ordinance amending Administrative Code by amending Section 20.59.2 by deleting language regarding aid payments through warrants or checks and by requiring participation in a mandatory direct rent payment program for recipients who have not secured their own housing. Supervisor Maher presented. Referred to Health/Public Safety/Environment Committee.

File 097-94-051.

Referred to Board

[Coastweeks and California Coastal Clean up Day]
Resolution proclaiming the weeks of September 17 through October 10, 1994 as Coastweeks and September 17, 1994 as Coastal Cleanup Day in the City and County of San Francisco. Supervisor Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 1, 1994.

File 004-94-020.

[State Legislation, AB 2897, Liquor Licenses]
Resolution urging the California State Legislature and the Governor to support Assembly Bill 2897 regarding liquor licenses. Supervisors Shelley, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 1, 1994.

File 012-94-028.

Referred to Committee

[Interim Controls, Telegraph Hill]
Draft resolution imposing Interim Controls governing alterations and new construction in the Telegraph Hill Scenic Special Use District consisting of all residential lots in Assessor's Blocks 54, 55, 60, 61, 62, 77, 78, 79, 85, 87, 88, 103, 104, 105, 106, 113, 114, 115 and 116, which are located in R Districts (residential use). Supervisor Maher presented. Referred to Housing and Land Use Committee.

File 111-94-002.

Referred to Board

[Doris W. Kahn Accessible Transportation Award]
Resolution supporting the nomination of August Longo for the Doris W. Kahn Accessible Transportation Award. Supervisors Alioto, Maher, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar August 1, 1994.

File 171-94-002.

Requests for Hearings:

[Airport, Release Reserved Funds, $7,708,298]
Hearing requesting release of reserved funds, Airport, in the amount of $7,708,298, contractual services for infrastructure repair and maintenance work at the San Francisco International Airport. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the July 27, 1994 meeting.

File 101-91-040.02.

[Airport, Release Reserved Funds, $51,792,700]
Hearing requesting release of reserved funds, Airport, in the amount of $51,792,700, for contractual services for the Airport's Master Plan construction contracts (Parking Structure on Lot DD, Contract No. 2801), Tutor-Saliba Corporation, contractor. Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the July 27, 1994 meeting.

File 101-92-011.02.

[CAO, Release of Reserved Funds, $90,000]
Hearing requesting the release of reserved funds, Chief Administrative Officer, in the amount of $90,000 to fund the services of Public Safety Consultants, Inc. to assist with developing specifications for a Computer Aided Dispatch and Records Management System (911 Project Management). Supervisor Hsieh presented. Referred to Budget Committee with request it be considered at the July 27, 1994 meeting.

File 101-93-045.01.

[911 System]
Hearing to consider issues involving the 911 system and related emergency responses. Supervisors Shelley, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 223-94-005.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 009-94-002. [Roadways Acceptance, Rebecca Lane/Bowman Court] Ordinance accepting roadways, including curbs of Rebecca Lane and Bowman Court in Assessor' Block 4729, dedicated by the C. Hillside Village Subdivision map recorded October 17, 1991 in Parcel Map Book 40, pages 181 to 184. (Department of Public Works) Referred to Housing and Land Use Committee.

File 030-94-020. [Contract, Health Care Services to Solano County] Ordinance authorizing and approving contract for the provision of health care services to Solano County Medi-Cal patients. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 101-94-007. [Appropriation, District Attorney, $113,800] Ordinance appropriating $113,800, District Attorney, of Jail Overcrowding Fine Revenue to allow the creation of nighttime District Attorney position to reduce jail overcrowding for fiscal year 1994-95; placing $113,800 on reserve. RO #94015 (Controller) Referred to Budget Committee.

File 124-94-009. [Vehicle Weight Limit, 6000 lbs, Market Street] Ordinance amending the Traffic Code by adding Section 28.1.95 thereto, prohibiting the operation of vehicles in excess of 6000 pounds upon a portion of Market Street, between Fremont Street and Van Ness Avenue. (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 025-94-028. [Prop J Contract, Muni Railway, Security Services] Resolution concurring with the Controller's certification that uniformed security services can be practically performed for the Municipal Railway by a private contractor for a lower cost than similar work services performed by City

and County employees. (Municipal Railway) Referred to Government Efficiency/Labor Committee.

File 03B-94-012. [Recreation and Park Dept, Gift, $30,000] Resolution accepting a maintenance endowment in the amount of $30,000 for use by the Recreation and Park Department for the Goddess of Democracy statue at Portsmouth Square. (Recreation and Park Department) Referred to Health/Public Safety/Environment Committee

File 064-94-013. [Dept of Public Health, Extension/Renewal Leases]
Resolution authorizing extension and renewal of certain existing leases of real property required by the Department of Public Health. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 172-94-027. [Fire Department, Mutual Aid Agreement - WESTDIV] Resolution approving the Mutual Aid Agreement between the San Francisco Fire Department and Commander, Western Division, Naval Facilities Engineering Command, San Bruno, for fire protection services at Hunters Point Annex. (Fire Department) Referred to Government Efficiency/Labor Committee.

File 214-94-007. [Juvenile Probation, Log Cabin Ranch, Grant Funds] Resolution authorizing the San Francisco Juvenile Probation Department to accept and expend grant monies in the amount of $301,288 from State of California, Department of Youth Authority, for the administration of Log Cabin Ranch; waiving indirect costs. (Juvenile Probation Department) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Bierman, that letter of inquiry be sent to Director, Department of Parking and Traffic concerning elimination of attendants at the exit gates of downtown parking garages and installation of pre-pay machines to determine the following: which garages have already or plan to eliminate some or all of the attendants at the exit gates; why have they done so; how many staff have been eliminated; what was their rate of pay; why was this done; what cost savings; has this resulted in any direct revenue to the city treasury or just gone into the fund to build more garages; has this resulted in increased revenues/profits for the garage operators and have they analyzed how this has affected security at or near the garage entrances/exits.

By Supervisor Conroy, that City Attorney provide written opinion on the following items: impact of third party agreement between JCDecaux and the San Francisco Newspaper Agency as it relates to the public service kiosk agreement; the City's ability to impose licensing fees and obtain revenues from sales if they start to sell magazines in those stands and ability to require distribution of free newspapers through such kiosks.

By Supervisor Hsieh, that City Attorney provide written opinion by August 1, 1994 Board meeting concerning the public toilet proposal as follows: 1) Is the conviction of the principal of JCDecaux for influence peddling grounds for disqualifying this company as a bidder; 2) Since page five of the Decaux proposal advocates a "two-head" approach and claims that the offered toilet has failed in all of its tests, does the proposal comply with the RFP; 3) Does Section 1.9 of the RFP require the third party agreement between Decaux and the SFNA require that it be reviewed and approved by the Human Rights Commission; 4) Since Section 1.4 of the RFP forbids the bidders from changing their proposal after submission, why is Decaux allowed to change its proposal without other bidders also being allowed to change their proposal; 5) If the Board is now reconsidering the contract upon the Mayor's request per the Charter, does substantial amendment of the agreement constitute "reconsideration" or does it constitute a new proposal contrary to Section 1.4 of the RFP; 6) Does the direct involvement of members of the Board of Supervisors in contract negotiations constitute a violation of Section 2.401 of the City Charter.

By Supervisor Alioto, that City Attorney prepare an ordinance which would create a Youth Commission.

By Supervisor Maher, that City Attorney review, prepare and approve as to form interim controls on Telegraph Hill. File 111-94-2.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Carroll Henry (Supervisor Kennedy)
Peter Anderson (Supervisor Migden)
Charles Caulfield (Supervisors Shelley, Alioto)
Lawrence Walsh (Supervisor Conroy)
Ed Farrah (By the entire Board)

File 2-94-30

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 10:47 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 22, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, August 1, 1994

Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 89 Number 31

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 1, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:18 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal - 7.

Noted absent at first roll call:

Supervisors Hsieh, Maher, Migden, Shelley - 4.

Quorum present.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Maher was noted present at 2:27 p.m.

Supervisor Migden was noted present at 2:19 p.m.

Supervisor Shelley was noted present at 2:19 p.m.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Shelley, moved that the Journal of Proceedings for Tuesday, July 5, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Appropriation, Dept. of Public Works, $1,545,654]
Ordinance appropriating $1,545,654, Department of Public Works, from the 1989 Earthquake Safety Bond fund interest earnings for capital improvements to the Palace of the Legion of Honor for fiscal year 1994-95. (Supervisor Alioto)

File 101-94-4, Ordinance No. 300-94

Finally passed.

[Appropriation, Fire Department, $90,436]
Ordinance appropriating, $90,436, Fire Department, of 1992 Fire Protection Bond interest earnings for capital improvement project , for fiscal year 1994-95, (replacement of diesel fuel tank at Station 13); placing $69,850 on reserve. (Supervisor Alioto)

File 101-94-5, Ordinance No.301-94

Finally passed.

[Appropriation, Fire Department, $2,490,000]
Ordinance appropriating $2,490,000, Fire Department, from 1986 Fire Protection System Improvement Bond fund-interest earned to capital improvement project (extension of the auxiliary water supply system) of the Fire Department for fiscal year 1994-95; placing $2,090,000 on reserve. (Supervisor Alioto)

File 101-94-6, Ordinance No. 302-94

(Fiscal Impact.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Airport, Lease Modification, United Air Lines, Inc.]
Ordinance approving Modification No. 2 Land Lease No. 73-0066 between United Air Lines, Inc. and the City and County, acting by and through its Airports Commission. (Airports Commission)

File 27-94-12, Ordinance No. 295-94

Finally passed.

[Settlement of Litigation, Albert Walker]
Ordinance authorizing settlement of litigation of Albert C. Walker against the City and County by payment of $20,000. (City Attorney)

File 45-94-41, Ordinance No. 296-94

(Superior Court No. 954-877)

Finally passed.

[Settlement of Litigation, Schultz vs. CCSF]
Ordinance authorizing settlement of litigation of Schultz against the City and County, Robert Passmore, Terry Milne, and the Bernal Heights East Slope Design Review Board by payment of $70,000. (Supervisor Bierman)

File 45-94-42, Ordinance No. 268-94

Finally passed.

[Settlement of Litigation, Dawn Walker]
Ordinance authorizing settlement of litigation of Dawn Walker against the City and County by payment of $77,500 and vocational rehabilitation benefits of $23,680. (City Attorney)

File 45-94-43, Ordinance No. 294-94

(United States District Court No. C91-1190 SAW)

Finally passed.

[Settlement of Litigation, Curtis Cox]
Ordinance authorizing settlement of litigation of Curtis Cox against the City and County by payment of $7,500. (City Attorney)

File 45-94-44, Ordinance No. 297-94

(Superior Court No. 943-486)

Finally passed.

[Settlement of Lawsuit, Patrick Yick]
Ordinance authorizing settlement of Patrick Yick v. Bruce Collier, et al., upon receipt of the sum of $37,500 and dismissal of complaint. (City Attorney)

File 46-94-9, Ordinance No. 298-94

(United States District Court No. C-92-05007 FMS)

Finally passed.

[Moscone Center Garage, Management Agreement]
Ordinance approving form of Moscone Center Garage Management Agreement and bid documents and authorizing Director of Property to request bids for management of Moscone Center Garage using those documents. (Real Estate Department)

File 47-94-8, Ordinance No. 299-94

Finally passed.

Recommendation of Housing and Land Use Committee

Adopted

[Residential Parking Area "U", South of Market]
Resolution revising the time limitations for certain streets within Residential Permit Parking Area "U" in the South of Market area and adding Jack London Alley, between Bryant Street and South Park Avenue, east side; Jack London Alley, between Brannan Street and South Park Avenue, both sides; South Park Avenue, starting from approximately 125 feet west of the west property line of Second Street and ending at approximately 125 feet east of the east property line of Third Street, both sides, and including the park frontage, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)

File 40-94-11, Resolution No. 693-94

Adopted.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Supportive Housing Service Fund]
Ordinance amending Administrative Code, to establish a Supportive Housing Service Fund. (Supervisors Bierman, Alioto, Hsieh)

File 97-94-42, Ordinance No.

(Fiscal Impact.)

(Adds Section 10.117-113.)

(July 25, 1994 - Consideration continued to August 1, 1994.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Hsieh, Maher - 2.

From Budget Committee "Without Recommendation"

Recommendation of Government Efficiency and Labor Committee

Adopted

[In-Home Supportive Services Contract Award 1994/97]
Resolution finding that the General Manager of the Department of Social Services has complied with the requirements of the Administrative Code and the Charter of San Francisco and the provisions of the Welfare and Institutions Code pertaining to the award of the In-Home Supportive Services Contract to National Homecare Systems. (Department of Social Services)

File 172-94-14, Resolution No. 688-94

(April 18, 1994 - Public hearing held. Referred to Government Efficiency and Labor Committee.)

(May 9, 1994 - Referred to Budget Committee.)

(July 25, 1994 - Consideration continued to August 1, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden - 9.

Absent: Supervisors Hsieh, Shelley - 2.

Recommendation of Government Efficiency and Labor Committee

Adopted

[Grant, Suppression of Drug Abuse in Schools Program]
Resolution authorizing the Chief of Police to apply for, retroactively, accept and expend funds in the amount of $100,000, which includes indirect costs of $6,000, based on five percent of the total project cost of $120,000, for new funding for a project entitled "Suppression of Drug Abuse in the Schools Program" and agreeing to provide twenty percent cash match in the amount of $20,000. (Supervisors Leal, Alioto)

File 143-94-3, Resolution No. 699-94

(July 25, 1994 - Consideration continued to August 1, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted as Amended

[Grant, Crime Prevention Expansion, Mission Corridor]
((Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of $164,175, which includes indirect costs of $10,260, based on approximately five percent of the total project cost, for continuation funding for a project entitled "Crime Prevention Expansion Project: "Mission Corridor" and agreeing to provide a twenty percent cash match in the amount of $41,044.)) (Supervisors Leal, Alioto, Shelley)

Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of $166,950, which includes indirect costs of $10,434, based on approximately five percent of the total project cost, for continuation funding for a project entitled "Crime Prevention Expansion Project: Mission Corridor" and agreeing to provide a twenty percent cash match in the amount of $41,737.

File 143-94-6, Resolution No. 700-94

(Fiscal Impact.)

(July 25, 1994 - Consideration continued to August 1, 1994.)

Supervisor Leal, seconded by Supervisor Kaufman, moved to amend title and change text wherever it appears to replace "164,175" with $166,950"; to replace $10,260" with "$10,434" and replace $41,044"

with $41,737". New title: "Resolution authorizing the Chief of Police to apply for, accept and expend funds in the amount of $166,950, which includes indirect costs of $10,434, based on approximately five percent of the total project cost, for continuation funding for a project entitled "Crime Prevention Expansion Project: Mission Corridor" and agreeing to provide a twenty percent cash match in the amount of $41,737."

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

Called from Rules Committee by Supervisor Maher

Refused Submission

[Ballot Measure, Parking and Traffic Department and Commission]
Charter amendment (Second Draft) amending Sections 3.583 and 3.698-3 to transfer the function of administering the control and management of parking control officers from the Department of Parking and Traffic to the Chief of Police. (Supervisor Maher)

File 267-94-001

(July 25, 1994 - Consideration continued as amended to August 1, 1994.)

Refused submission by the following vote:

Ayes: Supervisors Bierman, Hallinan, Kennedy, Maher, Shelley - 5.

Noes: Supervisors Alioto, Conroy, Kaufman, Leal, Migden - 5.

Absent: Supervisor Hsieh - 1.

Reconsidered by Board

Finally Passed

[Public Toilet Advertising]
Ordinance amending City Planning Code to permit advertising on public service kiosks associated with public toilets and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 115-93-8.2. (Supervisors Alioto, Maher, Kennedy, Conroy, Shelley, Migden)

File 115-93-8, Ordinance No. 285-94

(Amends Sections 603, 605 and 608.)

(June 27, 1994 - Refused Adoption.
(July 1, 1994 - Returned by Mayor requesting reconsideration.)

Finally passed by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kennedy, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisors Bierman, Kaufman - 2.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisors Shelley, Migden, Hallinan requested to be added as co-sponsors.

Adopted

[Automatic Public Toilet Program]
Resolution authorizing the Director of Public Works to enter into an agreement with JCDecaux United Street Furniture, Inc. to provide for the placement of automatic public toilets on public property in San Francisco in exchange for the right to place public service kiosks on public property and to sell advertising on said kiosks; companion measure to Files 115-93-8 and 115-93-8.2. (Supervisors Alioto, Maher, Kennedy, Conroy, Shelley, Migden, Hallinan)

File 115-93-8.1, Resolution No. 687-94

(June 27, 1994 - Refused Adoption.
(July 1, 1994 - Returned by Mayor requesting reconsideration.)
(July 25, 1994 - Consideration continued to August 1, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Conroy, Hallinan, Kennedy, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisors Bierman, Kaufman - 2.

Absent: Supervisor Hsieh - 1.

NEW BUSINESS

Recommendations of Budget Committee

Passed for Second Reading

[Access Appeals Commission]
Ordinance amending Building Code, to change the name of the Handicapped Access Appeals Board to the Access Appeals Commission, provide for an official reporter and a rehearing procedure; to provide that the Access Appeals Commission hears abatement cases related to disabled access rather than the Abatement Appeals Board and to increase the Commission's compensation and filing fees. (Supervisors Kennedy, Alioto, Bierman, Hsieh, Shelley, Migden, Hallinan, Conroy, Leal)

File 114-94-4, Ordinance No.

(Fiscal Impact.)

(Amends Sections 215, 203(t) and 332.3.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

In connection with the above item, Supervisors Shelley, Migden, Hallinan, Conroy, Leal requested to be added as co-sponsors.

Adopted

[Parking, Monthly Rate, 16th and Hoff Street Garage]
Resolution approving a monthly parking rate of $50.00 at the 16th and Hoff Street Garage. (Department of Parking and Traffic)

File 47-94-9, Resolution No. 695-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Adopted as Amended

[Parking, Monthly Rate, Golden Gateway Garage, for INS]
Resolution approving a monthly parking rate for the Immigration and Naturalization Service vehicles at the Golden Gateway Garage. (Department of Parking and Traffic)

File 47-94-10, Resolution No. 696-94

(Fiscal Impact.)

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to amend page one, line 21, by replacing ", now, therefore, be it" with "; and".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

[Workers Compensation Medical Treatment Services]
Resolution urging the Mayor to request that the Employee Retirement Board give due consideration, under pricing and corporate capability criteria, in evaluating any joint venture team including San Francisco General Hospital which responds to the June 1994 request for proposals to provide medical care facilities to treat industrially injured employees of the City and County of San Francisco. (Supervisor Leal)

File 210-94-2, Resolution No. 702-94

Supervisor Bierman, seconded by Supervisor Conroy, moved to amend by excluding Police and Fire.

Motion to amend failed adoption by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan - 4.

Noes: Supervisors Kaufman, Kennedy, Leal, Migden - 4.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Supervisor Leal, seconded by Supervisor Kaufman, moved to amend page two, line 21, by replacing "July" with "December".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Recommendation of Economic Vitality and Social Policy Committee

Passed for Second Reading

[Consultant Contracts, False Claims]
Ordinance amending Administrative Code relating to penalties assessed against contractors, subcontractors and consultants for submitting false claims. (Supervisors Conroy, Maher, Alioto)

File 97-94-45, Ordinance No.

(Repeals Sections 6.25, 6.45, 21.24; Adds Sections 6.57, 6.58, 6.59, 6.60, 21.24, 21.24-1, 21.24-2; Amends Sections 6.38, 6.41, 6.42, 6.43, 6.44, 6.46, 6.52.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Recommendations of Health, Public Safety and Environment Committee

Adopted

[Grant - Federal, Homeless Dually Diagnosed]
Resolution authorizing the Department of Public Health, Division of Mental Health and Substance Abuse Services to retroactively apply for a grant up to the amount of $700,000 which includes indirect costs in the amount of $14,700 which is two (2) percent of the grant application amount from the United States Department of Health and Human Services, Center for Mental Health Services and Center for Substance Abuse Treatment to provide evaluation of the Mental Health and Substance Abuse Service Referral System for the homeless dually diagnosed. (Supervisors Leal, Alioto)

File 146-93-57.2, Resolution No. 701-94

(July 11, 1994 - Rereferred to Committee.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

[Workers' Compensation]
Resolution urging the Retirement Board to provide medical service alternatives for City employees during any labor dispute with a hospital carrying the City and County of San Francisco's Workers' Compensation contract. (Supervisors Alioto, Bierman, Hallinan, Maher, Kennedy, Shelley)

File 221-94-5, Resolution No. 704-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Underground District, Dolores Heights]
Ordinance amending Ordinance No. 367-92 to request that utility companies pay certain service lateral costs to be incurred in connection with the undergrounding of facilities within the Dolores Heights District. (Department of Public Works)

File 52-94-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Adopted

[Lighting Assessment District]
Resolution approving the Engineer's Report prepared and filed by the City Engineer in the formation proceedings for Assessment District No. 92-2, pursuant to Article 1 of Chapter 2 of the Landscaping and Lighting Act of 1972, as adopted by Article 6.1, Subarticle VIII, Chapter X, Part II of the San Francisco Municipal Code (Public Works Code) for the purposes of installing street lighting in the Dolores Heights District. (Department of Public Works)

File 52-94-2.1, Resolution No. 697-94

(Department of Public Works to submit an alternative engineer's report on historic [post-top] lights to the Board for consideration by the Housing and Land Use Committee no later than October 20, 1994.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

[Lighting Assessment District]
Resolution announcing the intent to undertake to form an Assessment District pursuant to Article 1 of Chapter 2 of the Landscaping and Lighting Act of 1972, as adopted by Public Works Code, Article 6.1, Subarticle VIII, Chapter X, for the purposes of installing street lighting in the Dolores Heights District; describing the intended improvements; indicating the location of the proposed Assessment District; and giving notice of Monday, November 21, 1994 and Monday, December 5, 1994, at 3:00 p.m. for the two public hearings on the question of the formation of the proposed Assessment District and on the levy of the proposed assessment; companion measure to Files 52-94-2, 52-94-2.1. (Department of Public Works)

File 52-94-2.2, Resolution No. 698-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Passed for Second Reading

[Press Parking Cards]
Ordinance amending the Traffic Code, pertaining to vehicle press parking cards. (Supervisors Maher, Shelley, Bierman)

File 124-94-3, Ordinance No.

(Amends Sections 11.2, 11.3 and 11.4.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Adopted

[Stop Intersections, Jackson/Cherry Streets]
Resolution designating Jackson Street and Cherry Street as a Four-Way Stop. (Supervisors Shelley, Alioto)

File 18-94-9, Resolution No. 691-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[Stop Intersections, Jackson/Maple Streets]
Resolution designating Jackson Street and Maple Street as a Four-Way Stop. (Supervisors Shelley, Alioto)

File 18-94-10, Resolution No. 692-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[Policy, Alternative Street Lighting Fixtures]
Resolution establishing a policy of the City and County that residents and businesses in the City should be permitted to have alternative street lighting fixtures. (Supervisors Maher, Shelley, Bierman)

File 43-94-1, Resolution No. 694-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 8.

Absent: Supervisors Hsieh, Maher, Shelley - 3.

Adopted as Amended

(Supervisor Maher Dissenting in Committee)

[Civic Center, Wind Conditions]
Resolution urging the Mayor to urge the City Planning Commission to make adverse effect of wind conditions one of the highest criteria for building design and siting in the Civic Center area; formally requesting the State General Services Administration to make considering wind conditions an overriding priority in its design of the new state office building. (Supervisors Bierman, Alioto)

File 115-94-9.1, Resolution No. 705-94

Supervisor Kennedy, seconded by Supervisor Bierman, moved to amend page two, line 13, by replacing "an overriding" with "a top".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden - 6.

Absent: Supervisors Conroy, Hsieh, Leal, Maher, Shelley - 5.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Kennedy, Migden - 6.

Absent: Supervisors Conroy, Hsieh, Leal, Maher, Shelley - 5.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Recommendation of Rules Committee

Adopted as Amended

[Elections Task Force]
Motion ordering submission of an ordinance amending the Administrative Code, adding Sections 5.87 through 5.89, relating to the creation of an Elections Task Force to recommend the best method for electing members of the Board of Supervisors and appropriating $25,000 for the work of the task force. (Supervisors Hallinan, Alioto)

File 278-94-1

(Fiscal Impact.)

Supervisor Hallinan, seconded by Supervisor Migden, moved to amend title, line three, after "elections task force" by adding "to recommend the best method for electing members of the Board of Supervisors"; amend page three, line 14, after "appropriation" by adding "through the office of the Clerk of the Board of Supervisors".

Motion to amend adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

Adopted as amended by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kennedy, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisors Conroy, Kaufman - 2.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public hearing]
Hearing of persons interested in or objecting to sewer service charges to be paid by users for fiscal year 1993-94 pursuant to Part II, Chapter X, Articles 4.1 and 4.2, of the Public Works Code and Board of Supervisors Resolution No. 572-93, regarding rate reductions for low income residential units; providing for a severability clause.

File 21-93-2

(Filed May 31, 1994.)

(Exempt from environmental review.)

The President inquired if there was anyone present who wished to speak on this item. There being no response, the President closed the hearing.

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to continue consideration to August 29, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Consideration Continued

[Sewer Service Charge]
Resolution revising schedules of Sewer Service Charges to be paid by users for fiscal year 1993-94 pursuant to Part II, Chapter X, Articles 4.1 and 4.2, of the Public Works Code and Board of Supervisors Resolution No. 572-93, regarding rate reductions for low income residential units; providing for a severability clause. (Supervisors Kaufman, Leal, Bierman, Alioto)

File 21-93-2, Resolution No.

Supervisor Kaufman, seconded by Supervisor Kennedy, moved to continue consideration to August 29, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Hsieh - 1.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Kathy Perry, Geneva Towers;
David Grace, homeless issues;
Virginia Conroy, privatization of Water Department.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Adopted

[Coastweeks and California Coastal Clean up Day]
Resolution proclaiming the weeks of September 17 through October 10, 1994 as Coastweeks and September 17, 1994 as Coastal Cleanup Day in the City and County of San Francisco. (Supervisors Alioto, Shelley)

File 004-94-020, Resolution No. 689-94

(July 25, 1994 - Introduced in Board for consideration on August 1, 1994.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[State Legislation, AB 2897, Liquor Licenses]
Resolution urging the California State Legislature and the Governor to support Assembly Bill 2897 regarding liquor licenses. (Supervisors Shelley, Alioto, Leal, Kaufman)

File 012-94-028, Resolution No. 690-94

(July 25, 1994 - Introduced in Board for consideration on August 1, 1994.)

Adopted.

In connection with the above item, Supervisors Leal, Kaufman requested to be added as co-sponsors.

[Doris W. Kahn Accessible Transportation Award]
Resolution supporting the nomination of August Longo for the Doris W. Kahn Accessible Transportation Award. (Supervisors Alioto, Maher, Leal, Shelley, Migden, Bierman)

File 171-94-002, Resolution No. 703-94

(July 25, 1994 - Introduced in Board for consideration on August 1, 1994.)

Adopted.

In connection with the above item, Supervisors Shelley, Migden, Bierman requested to be added as co-sponsors.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden - 6.

Absent: Supervisors Conroy, Hsieh, Kennedy, Maher, Shelley - 5.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-31, Resolution No. 665-94

(Sue Bierman, member, Board of Supervisors, September 2 - 11; Terence Hallinan, member, Board of Supervisors, August 16 - 28; Jeff Brown, Public Defender, July 26 - August 6; Kenneth E. Dowlin, City Librarian, August 28 - September 11; Sandra Hernandez, Director of Health, July 28 - 30; Boyd G. Stephens, M.D., Chief Medical Examiner, September 21 - 28; L.A. Turpen, Director of Airport, July 23 - August 15; Joanne Chow Winship, Director, Art Commission, August 27 - 31 and September 15 - 19, 1994.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Kaufman, Leal, Migden - 6.

Absent: Supervisors Conroy, Hsieh, Kennedy, Maher, Shelley - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Parking Meters To Accept Nickels/Dimes/Quarters]
Ordinance amending Traffic Code by amending Sections 203.2, 203.3 and 203.4 to provide that parking meters within Parking Meter Areas Numbers 2, 3 and 4 will be operated by nickels, dimes and quarters, instead of only by quarters. Supervisors Maher, Alioto presented. Referred to Housing/Land Use Committee.

File 124-94-005.

[Contractors Parking Permits, Pest Control Firms]
Ordinance amending Traffic Code by amending Section 202.C to authorize the Director of Parking and Traffic to issue to a pest control company a parking permit for company vehicles parked within a meter zone. Supervisor Alioto presented. Referred to Budget Committee.

File 124-94-007.

Referred to Board

[Women's Equality Day]
Resolution celebrating Women's Equality Day for its liberation of women throughout our nation. Supervisors Conroy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 004-94-021.

[Humanitarian Relief - Rwanda]
Resolution urging the Mayor to urge the citizens of San Francisco to put forth a humanitarian effort towards the refugees of Rwanda and urging the Mayor to consider using City Hall as a drop-off site for public donations; and to call a press conference to announce to the citizens of the City and County the request for donations. Supervisors Kennedy, Bierman, Alioto, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 013-94-018.

[Federal Legislation, S 1822, Telecommunications]
Resolution urging the Senate to provide that any new version of S 1822 must allow local governments to negotiate franchise agreements with telephone companies that provide video/cable services and programming as well as preempt local tax authority. Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 013-94-019.

[S 993/HR 4771, Unfunded Federal Mandates]
Resolution urging the United States Congress to enact the Federal Mandate Accountability and Reform Act in this session of Congress. Supervisors Kennedy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 013-94-020.

[HR 3355, Anti-Crime Proposal]
Resolution urging the House of Representatives and the Senate to reach a closure and send to the White House meaningful, yet balanced legislation immediately regarding HR 3355, which would provide funding for hiring up to 100,000 cops on the beat. Supervisors Kennedy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 013-94-021.

[Needle Exchange Program]
Resolution urging President Clinton to instruct the United States Surgeon General to lift the ban on federal funding for needle exchange programs and support needle exchange as part of a comprehensive HIV prevention plan. Supervisors Alioto, Hallinan, Shelley, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 013-94-022.

[Medicinal Marijuana]
Resolution urging President Bill Clinton to reconsider the recent decision by the Department of Health and Human Services to uphold the ban on medicinal marijuana and to allow patient access to marijuana for appropriate medicinal use. Supervisors Alioto, Hallinan, Shelley, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 013-94-023.

[Right to Safely Access Abortion Clinics]
Resolution urging the federal government and the state government of Florida to use all means to punish the murderers and to take all steps necessary to guarantee the safety and availability of abortions for women. Supervisors Maher, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 013-94-024.

[Abortion Clinics]
Resolution condemning continued violence nationwide against health clinics providing abortion services and urging law enforcement agencies to uphold laws protecting women's access to clinics providing abortion services. Supervisors Migden, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 013-94-025.

[HR 3433, Presidio Public Benefit Corporation Funds]
Resolution opposing amendments to HR 3433 that would require San Francisco to match operating funds for the Presidio Public Benefit Corporation. Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 013-94-026.

Referred to Committee

[Grant, Federal Funds, Lead-Based Paint Hazard]
Resolution authorizing the Mayor to accept and expend a grant for a lead-based paint hazard reduction program from the U.S. Department of Housing and Urban Development for a total amount not to exceed Six Million Dollars ($6,000,000) for a program authorized under the Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriation Act, 1992, Public Law Number 1020139; $60,000 of indirect costs associated with the acceptance of these grant funds is included in the budget of proposed expenditure. Supervisors Shelley, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 068-94-010.

[Evergreen Shipping Lines]
Resolution urging Evergreen Shipping to retain its operations in San Francisco. Supervisor Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 176-94-005.

Referred to Board

[Kids Start Collaborative]
Resolution urging the Mayor to fund the Kid's Start Collaborative program with available Proposition J (Children's Fund) funds in the coming year. Supervisor Conroy presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 185-94-002.

Referred to Committee

[Return to Work Program]
Resolution urging the Mayor to urge the Department of Human Resources, Employee Relations Division, to assign the highest priority to completion of the meet and confer process for the implementation of the proposed Rule 35, governing return to work programs. Supervisor Conroy presented. Referred to Economic Vitality/Social Policy Committee.

File 222-94-003.

[Leaves of Absence]
Resolution urging the Mayor to urge the Department of Human Resources, Employee Relations Division, to begin meet and confer process for the implementation of proposed amendments to Civil Service Rule 22, covering leaves of absence. Supervisor Conroy presented. Referred to Economic Vitality/Social Policy Committee.

File 222-94-004.

Referred to Board

[Treasure Island Museum]
Resolution supporting the campaign to save the Treasure Island Museum and urging the Navy to restore its funding to the museum through 1997. Supervisors Shelley, Alioto presented: Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 244-94-015.

Referred to Committee

[Ballot Measure, New Charter]
Charter amendment (First Draft) to repeal the 1932 Charter and to enact a new Charter. Supervisor Maher presented. Referred to Rules Committee.

File 281-94-001.

Requests for Hearings:

File 030-94-021. [Substance Abuse Prevention Department/Commission] Hearing to consider the creation of a Substance Abuse Prevention Department and Commission. Supervisor Alioto presented. Referred to Health/Public Safety/Environment Committee with request it be considered at the September 13, 1994 meeting.

File 030-94-022. [VDT Advisory Committee Annual Report] Hearing to consider the Video Display Terminal Worker's Safety Ordinance Advisory Committee's 1994 Annual Report. Supervisors Alioto, Bierman presented. Referred to Health/Public Safety/Environment Committee.

File 109-94-001. [Residential Rent Stabilization/Arbitration Board] Hearing to consider the 1992 reorganization of the Residential Rent Stabilization and Arbitration Board and its progress to date and how the public is best served by using contract hearing officers. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee.

File 244-94-016. [Treasure Island] Hearing to consider issues relating to Treasure Island. Supervisor Shelley presented. Referred to Select Committee on the Conversion of the Presidio, Hunters Point Naval Shipyard and Treasure Island.

File 282-94-001. [Charter Revision] Hearing to consider the recommendations of the Charter Reform Commission and determining which of those the Board of Supervisors may wish to follow up. Supervisors Hallinan, Alioto presented. Referred to Rules Committee.

File 283-94-001. [Mortgage Credit Certificates] Hearing to consider the progress of the Mortgage Credit Certificate Program. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee.

File 284-94-001. [Serra Sculpture] Hearing to consider issues surrounding the proposed Serra sculpture. Supervisor Shelley presented. Referred to Health/Public Safety/Environment Committee.

Motions:

Referred to Board

File 030-94-001.15. [Needle Exchange Emergency] Motion concurring in the determination of the Mayor for the continued need for the Declaration of Emergency in connection with the Needle Exchange Program. Supervisors Alioto, Leal, Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

File 165-94-010. [Management Audit, San Francisco Rent Board] Motion directing the Budget Analyst to conduct a management audit of the Rent Board (Residential Rent Stabilization and Arbitration Board). Supervisor Kennedy presented. Referred to Board for Adoption Without Committee Reference Calendar August 8, 1994.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-94-045. [Settlement of Litigation, Tony Yuen] Ordinance authorizing settlement of litigation of Tony Yuen v. CCSF, et al against the City and County of San Francisco by payment of $11,000. (Municipal Court No. 069-172) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 093-94-017.01. [MOU, Building Inspectors Association] Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Building Inspectors Association for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County of San Francisco awarded by the arbitration panel. (Also see File 93-94-17 and 93-94-17.2) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-94-017.03. [MOU, Building Inspectors Assoc., Chief Inspector] Ordinance implementing fiscal provisions of Memorandum of Understanding between the Building Inspectors Association for 6334 Chief Building Inspector and the City and County of San Francisco awarded by the arbitration panel. (Also see Files 93-94-17, 93-94-17.1, 17-94-17.2 and 93-94-17.4) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 102-94-003. [ASO, District Attorney, Add 1 Position] Ordinance amending the Annual Salary Ordinance, 1994-95, Office of the District Attorney, reflecting the addition of one position (Classification 8182G Head Attorney, Civil and Criminal); companion measure to File 101-94-7. (Department of Human Resources) Referred to Budget Committee.

Resolutions Referred to Committee

File 023-94-003. [Claims, Waiving Statute of Limitations, $1,201.79] Resolution waiving the statute of limitation with respect to payment of two certain warrants of the City and County of San Francisco the sum totalling $1,201.79 a legal obligation of the City and County of San Francisco. (Edmond C. Burke $822.47 and Gerald J. McCarthy $379.32) (Controller) Referred to Government Efficiency/Labor Committee.

File 033-94-004. [Mayor 's Appointment, Port Commission] Resolution conforming Mayor's appointment to the San Francisco Port Commission of Michael E. Hardeman, for the term to expire May 1, 1998, vice James R. Herman, term expired. (Mayor) Referred to Rules Committee.

File 061-94-005. [Water Dept, Contract/Granting Extension of Time] Resolution granting extension of time for awarding San Francisco Water Department Contract No. WD-2120, 8-inch ductile iron main installation in Hyde Street between McAllister and California Streets and Turk Street between Hyde and Larkin Streets. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 093-94-017.02. [MOU, Building Inspectors] Resolution ratifying administrative provisions of Memorandum of Understanding between the Building Inspectors Association and the City and County of San Francisco for 6331 Building Inspector and 6333 Senior Building Inspector awarded by the panel of arbitrators. (Also see Files 93-94-17, 93-94-17.1, 93-94-17.3 and 93-94-17.4) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-94-017.04. [MOU, Building Inspectors Assoc, Chief Inspector] Resolution ratifying administrative provisions of Memorandum of Understanding between the Building Inspectors Association and the City and County of San Francisco for 6334 Chief Building Inspector awarded by the panel of arbitrators. (Also see Files 93-94-17, 93-94-17.1, 93-94-17.2 and 93-94-17.3) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-94-021. [MOU, International Union of Operating Engineers] Resolution ratifying Memorandum of Understanding between the International Union of Operating Engineers, Local 39 and the City and County of San Francisco. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 146-94-003.01. [Grant, Childhood Lead Poisoning Prevention] Resolution authorizing the Department of Public Health, Childhood Lead Prevention Program, to accept and expend a grant of $1,266,382 which includes indirect costs in the amount of $86,292 based on fifteen percent of salaries from the State Department of Health Services for childhood lead poisoning prevention activities. (Also see File 146-94-3) (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 170-94-015. [School District Facilities Improvements, 1994C Bond] Resolution providing for the issuance of $95,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (School District Facilities Improvements, 1994), including the issuance of an initial series thereof in the aggregate principal amount of $30,650,000 and designated as the City and County of San Francisco General Obligation Bonds (School District Facilities Improvements, 1994), Series 1994C; authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of despositories and agents for said bonds; and providing for the establishment of funds related thereto. (Chief Administrative Officer) Referred to Budget Committee.

File 170-94-016. [Bonds, Public Safety Improvement Projects] Resolution authorizing and directing the sale of City and County of San Francisco $3,455,000 principal amount of General Obligation Bonds (Public Safety Improvement Projects, 1989), Series 1994A; $18,100,000 principal amount of General Obligation Bonds (Public Safety Improvement Projects, 1990), Series 1994B; $30,650,000 principal amount of General Obligation Bonds (School District Facilities Improvement, 1994), Series 1994C and $10,105,000 principal amount of General Obligation Bonds (Fire Department Facilities Project, 1992), Series 1994D; prescribing the terms and form of said bonds; approving forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of notice of intention to sell bonds; approving the official statement relating thereto; authorizing the reimbursement of certain expenditures and ratifying certain actions; and authorizing the execution of necessary documents. (Chief Administrative Officer) Referred to Budget Committee.

File 172-94-028. [Contract, DDS, San Francisco Child Abuse Council] Resolution authorizing the Department of Social Services to enter into contract retroactively between the City and County of San Francisco and San Francisco Child Abuse Council, Inc. in the amount of $25,000 from the County's Children Trust Funds for the provision of education and training around child abuse and neglect to mandated reporters to include professional, community and city organizations, for the period of July 1, 1994 through June 30, 1995. (Department of Social Services) Referred to Government Efficiency/Labor Committee.

File 172-94-029. [Contracts, DSS, University of California] Resolution authorizing the Department of Social Services to enter into contract retroactively between the City and County of San Francisco and University of California Early Parenting Project in the amount of $172,076 of which $123,000 is from the County's Children's Trust Fund for the provision of In-Home Support Services to DSS-linked families when substance abuse is a factor which negatively affects parenting skills and to DSS-lined at-risk families where additional risk factors may include, but not limited to inadequate social support, mental health or cultural adjustment problems which negatively affect parenting skills for period of July 1, 1994 through June 30, 1995. (Department of Social Services) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Migden, that City Attorney prepare ordinance that would allow the Department of Social Services to create a wage subsidy program, which would provide incentives for employers to hire general assistance grant recipient by using a portion of the general assistance grant to pay employers a wage subsidy.

By Supervisor Conroy, that City Attorney prepare amendments to Civil Service Commission Rule 22 to reflect changes required by the Family and Medical Leave Act; to extend the Family and Medical Leave Act entitlements to domestic partners consistent with City and County policy; to change salary supplement provisions when an employee is on workers compensation or when using state disability insurance.

By Supervisor Kennedy, that letter be sent to his Honor, the Mayor, requesting a representative of the Mayor's Office and from the various banks participating in the Mortgage Credit Certificate Program be present when the Economic Vitality and Social Policy Committee of the Board of Supervisors hold hearings on the progress of the Mortgage Credit Certificate Program to address the following questions: how many persons have applied, how many persons have qualified and how many persons have been refused by the various banks located in San Francisco. File 283-94-1.

By Supervisor Kennedy, that letter be sent to Executive Director, Residential Rent Stabilization and Arbitration Board concerning the 1992 reorganization of the Board and requesting his attendance when the Economic Vitality/Social Policy Committee schedules the hearing to address the 1992 reorganization of the Residential Rent Stabilization and Arbitration Board and its progress to date and how the public is best served by using contract hearing officers. File 109-94-1.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

John Kirwin (Supervisor Conroy)
Natalie Kirwin (Supervisor Conroy)
Nancy Katz (Supervisor Bierman)
Amado Ramirez (Supervisor Leal)

File 2-94-31

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:44 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 29, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

Storeroom
8-8-94
c.2

Monday, August 8, 1994

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The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 89 Number 32

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 8, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Angela Alioto, the meeting was called to order at 2:08 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Noted absent at first roll call:

Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

Quorum present.

Supervisor Alioto excused, on official leave of absence.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Kennedy excused, on official leave of absence.

Supervisor Leal excused. (see infra.)

Supervisor Maher excused. (see infra.)

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Hallinan, seconded by Supervisor Migden, moved that Supervisor Kaufman be appointed President Pro Tempore.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

Supervisor Kaufman thereupon assumed the Chair.

Supervisors Leal and Maher Excused

The Clerk announced that Supervisors Leal and Maher requested to be excused from attending today's meeting.

Supervisor Hallinan, seconded by Supervisor Migden, moved to excuse Supervisors Leal and Maher.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Conroy, moved that the Journal of Proceedings for Monday, July 11, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

COMMUNICATION

The Clerk presented the following communication from the Mayor returning with his line item vetos the following ordinance:

August 5, 1994

The Honorable Angela Alioto
President, Board of Supervisors
City and County of San Francisco
City Hall, Room 235
San Francisco, CA 94102

Dear Supervisor Alioto:

Per San Francisco Charter Section 6.206, I am returning the City and County of San Francisco Consolidated Budget and Annual Appropriation Ordinance for the Fiscal Year ending June 30, 1995 (Board File No. 101-94-2) with the attached line item vetoes.

When my budget staff began preparing the fiscal 1994/95 budget, a deficit of approximately $100 million was projected. After hundreds of hours of work, and in conjunction with the zero-based budgeting process performed by the Board's budget analyst, I submitted a balanced budget on June 1, 1994 as required by the Charter. Several days later, that budget was thrown out of balance when the voters passed Proposition E, setting aside millions of additional dollars for our libraries. The State of California created additional shortfalls in San Francisco's finances due to its budget decisions. Since that time, my staff, the Board's Budget Committee, and the Budget Analyst have worked continuously to find ways to close the gap.

To balance the budget the Board proposes a doubling of the real estate transfer tax from the current $5,00 per $1000.00 to $10.00 per $1000.00. The proposed transfer tax is estimated to raise $9.6 million.

I do not support a doubling of the transfer tax because the revenue burden should not fall to one industry or to one transaction type. Instead, I have line item vetoed several appropriations in the budget equaling $800,000.00. After having exhaustively reviewed every line item of the budget, I am comfortable that any reductions beyond this $800,000.00 will result in cuts to vital services.

During the next several days, I will be working with my staff and members of the Board to develop revenue generating proposals that more evenly spread the burden. No one wants to see the necessary services that this budget has preserved threatened, and I am confident a revenue package that is satisfactory to all citizens will be developed.

Sincerely,

Frank M. Jordan
Mayor

Consideration Continued

[Annual Appropriation Ordinance, 1994-95]
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1995.

File 101-94-2, Ordinance No.

The Clerk announced that pursuant to Board of Supervisors' Rule 2.9a of the Rules of Order of the Board of Supervisors this matter should not be considered today and it would be appropriate to continue this item for one week.

There being no objection, the President directed that it be continued to August 15, 1994.

CONSENT CALENDAR

Recommendations of Budget Committee

Finally Passed

[Supportive Housing Service Fund]
Ordinance amending Administrative Code, to establish a Supportive Housing Service Fund. (Supervisors Bierman, Alioto, Hsieh)

File 97-94-42, Ordinance No. 307-94

(Fiscal Impact.)

(Adds Section 10.117-113.)

Finally passed.

[Access Appeals Commission]
Ordinance amending Building Code, to change the name of the Handicapped Access Appeals Board to the Access Appeals Commission, provide for an official reporter and a rehearing procedure, to provide that the Access Appeals Commission hears abatement cases related to disabled access rather than the Abatement Appeals Board and to increase the Commission's compensation and filing fees. (Supervisors Kennedy, Alioto, Bierman, Hsieh, Shelley, Migden, Hallinan, Conroy, Leal)

File 114-94-4, Ordinance No. 309-94

(Fiscal Impact.)

(Amends Sections 215, 203(t) and 332.3.)

Finally passed.

Recommendation of Economic Vitality and Social Policy Committee

Finally Passed

[Consultant Contracts, False Claims]
Ordinance amending Administrative Code relating to penalties assessed against contractors, subcontractors and consultants for submitting false claims. (Supervisors Conroy, Maher, Alioto)

File 97-94-45, Ordinance No. 308-94

(Repeals Sections 6.25, 6.45 and 21.24; Adds Sections 6.57, 6.58, 6.59, 6.60, 21.24, 21.24-1, 21.24-2; Amends Sections 6.38, 6.41, 6.42, 6.43, 6.44, 6.46, 6.52.)

Finally passed.

Recommendations of Housing and Land Use Committee

Finally Passed

[Underground District, Dolores Heights]
Ordinance amending Ordinance No. 367-92 to request that utility companies pay certain service lateral costs to be incurred in connection with the undergrounding of facilities within the Dolores Heights District. (Department of Public Works)

File 52-94-2, Ordinance No. 305-94

Finally passed.

[Press Parking Passes]
Ordinance amending the Traffic Code, pertaining to vehicle press parking cards. (Supervisors Maher, Shelley, Bierman)

File 124-94-3, Ordinance No. 310-94

(Amends Sections 11.2, 11.3 and 11.4.)

Finally passed.

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Settlement of Litigation, Tony Yuen]
Ordinance authorizing settlement of litigation of Tony Yuen v. CCSF, et al against the City and County by payment of $11,000. (City Attorney)

File 45-94-45, Ordinance No.

(Municipal Court No. 069-172)

Passed for second reading.

[Contract, Health Care Services to Solano County]
Ordinance authorizing and approving contract for the provision of health care services to Solano County Medi-Cal patients. (Department of Public Health)

File 30-94-20, Ordinance No.

Passed for second reading.

Adopted

[Prop J Contract, Muni Railway, Security Services]
Resolution concurring with Controller's certification that uniformed security services can be practically performed for the Municipal Railway by a private contractor for a lower cost than similar work services performed by City and County employees. (Municipal Railway)

File 25-94-28, Resolution No. 716-94

Adopted.

[Gift Acceptance of Maintenance Endowment]
Resolution accepting a maintenance endowment of $30,000 for use by the Recreation and Park Department in maintaining the Goddess of Democracy Statue at Portsmouth Square. (Supervisor Alioto)

File 38-94-12, Resolution No. 717-94

Adopted.

[Cal-Learn Program]
Resolution approving the plan of services for the Cal-Learn Program by the Department of Social Services. (Department of Social Services)

File 107-94-4, Resolution No. 720-94

Adopted.

[Mutual Aid Agreement]
Resolution approving the mutual aid agreement between the San Francisco Fire Department and Commander, Western Division, Naval Facilities Engineering Command, San Bruno, for fire protection services at Hunters Point Annex. (Fire Department)

File 172-94-27, Resolution No. 723-94

Adopted.

[Contract, CCSF, S.F. Child Abuse Council]
Resolution authorizing the Department of Social Services to enter into contract retroactively between the City and County of San Francisco and San Francisco Child Abuse Council, Inc. in the amount of $25,000 from the County's Children Trust Funds for provision of education and training around child abuse and neglect to mandated reporters to include professional, community and city organizations, for the period of July 1, 1994 - June 30, 1995. (Supervisor Alioto)

File 172-94-28, Resolution No. 724-94

Adopted.

In connection with the above item, Supervisor Alioto requested to be added as sponsor.

[Contract, DSS, CCSF, University of California]
Resolution authorizing Department of Social Services to enter into contract retroactively between the City and County of San Francisco and University of California Early Parenting Project in the amount of $172,076 of which $123,000 is from the County's Children's Trust Fund for provision of In-Home Support Services to DSS-linked families when substance abuse is a factor which negatively affects parenting skills and to DSS-linked at-risk families where additional risk factors may include, but not be limited to, inadequate social support, mental health or cultural adjustment problems which negatively affect parenting skills for period of July 1, 1994 - June 30, 1995. (Supervisor Alioto)

File 172-94-29, Resolution No. 725-94

Adopted.

In connection with the above item, Supervisor Alioto requested to be added as sponsor.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[Lease Renewal, 25 Van Ness Ave, Bull's Texas Cafe]
Ordinance authorizing and approving renewal of a lease of space in City-owned property at 25 Van Ness Avenue, consisting of a portion of the ground floor, to Liu's Family and Restaurant Management, Inc., commencing retroactively as of July 1, 1994. (Real Estate Department)

File 65-94-15, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

Consideration Continued

[Claims, Waiving Statute of Limitations]
Resolution waiving the statute of limitations with respect to payment of two warrants of the City and County of San Francisco totalling $1,201.79, a legal obligation of the City and County of San Francisco (Edmond C. Burke, $822.47 and Gerald J. McCarthy, $379.32). (Controller)

File 23-94-3, Resolution No.

Supervisor Hallinan, seconded by Supervisor Migden, moved to continue consideration to August 15, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

Adopted

[Lease of Property]
Resolution authorizing extensions and renewal of certain existing leases of real property required by the Department of Public Health; retroactive to July 1, 1994. (Supervisor Alioto)

File 64-94-13, Resolution No. 718-94

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

[Memorandum of Understanding]
Resolution ratifying Memorandum of Understanding between International Union of Operating Engineers, Local 39 and the City and County for the period July 1, 1994 through June 30, 1996. (Department of Human Resources)

File 93-94-21, Resolution No. 719-94

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

[Grant - Childhood Lead Poisoning Prevention]
Resolution authorizing the Department of Public Health, Childhood Lead Prevention Program, to accept and expend a grant of $1,266,382, which includes indirect costs of $86,292 based on 15% of salaries from the State Department of Health Services for childhood lead poisoning prevention activities; providing for ratification of action previously taken. (Supervisor Alioto)

File 146-94-3.1, Resolution No. 721-94

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

In connection with the above item, Supervisor Alioto requested to be added as sponsor.

[Street Artist Selling Spaces]
Resolution designating for one year four selling spaces on Beach Street, north side, Hyde to Leavenworth Streets, for street artists certified by the Art Commission; providing for review of the four designations in one year. (Supervisors Hallinan, Alioto)

File 169-94-2, Resolution No. 722-94

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

[Juvenile Probation, Log Cabin Ranch, Grant Funds]
Resolution authorizing the Juvenile Probation Department to accept and expend grant monies of $301,288 from State of California, Department of Youth Authority, for the administration of Log Cabin Ranch; waiving indirect costs; placing $301,288 on reserve. (Supervisors Alioto, Bierman)

File 214-94-7, Resolution No. 727-94

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

In connection with the above item, Supervisor Bierman requested to be added as co-sponsor.

[Grand Jury Recommendations]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1993-94 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to "Construction Contract Management: The New Jail Facility". (Government Efficiency and Labor Committee)

File 39-94-5

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

[Grand Jury Recommendations]
Motion directing the Clerk of the Board of Supervisors to submit comments on the recommendations of the 1993-94 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to "Classifications and Collective Bargaining". (Government Efficiency and Labor Committee)

File 39-94-7

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

Conference with Labor Negotiator -- Collective Bargaining

Consideration Continued

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources, and with Geoff Rothman, Acting Employee Relations Director, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

The Clerk stated that the Director of Human Resources requested that this matter be continued for one week.

Supervisor Conroy, seconded by Supervisor Hallinan, moved to continue consideration to August 15, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

Recess

The Board, at the hour of 2:53 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:08 p.m., reconvened.

The following Supervisors were noted present:

Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Noted absent:

Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

Quorum present.

Appointment of President Pro Tempore

At the request of the Acting President, Supervisor Shelley assumed the Chair so that Supervisor Kaufman could participate in the debate from the floor.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider increasing the Payroll Expense Tax rates from the current level of 1.5% to 1.6% for businesses with total payroll expenses in excess of $166,667 for 1994 and adding Section 1004.19 to increase 1994 business tax rates on gross receipts by a comparable percentage. (Supervisor Hallinan)

File 127-94-3

(First public hearing as required by state law was held on July 5, 1994.)

Supervisor Hallinan, seconded by Supervisor Bierman, moved to continue the public hearing to August 29, 1994.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Bierman, Hallinan, Migden - 3.

Noes: Supervisors Conroy, Kaufman, Shelley - 3.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Speaking in opposition: Sue Lee; Doug Shorenstein; Lynn Bulen; Michael; Madeline Debeco; Eva Lee; Albert Chang; Kirby Sack; Steven Cornell; Jack Howkie; Ron Norlan; Rick Hills; Howard Blessing; Sam Reed; Phil Allan.

Speaking in support: Mark.

There being no one else present wishing to speak, the President declared the public hearing closed.

President Pro Tempore Barbara Kaufman resumed the Chair.

From Budget Committee "Without Recommendation"

Refused Passage for Second Reading

[Payroll and Business Expense Tax]
Ordinance amending Part III, Municipal Code by increasing the Payroll Expense Tax rates from the current level of 1.5% to 1.6% for businesses with total payroll expenses in excess of $166,667 for 1994 and to increase 1994 business tax rates on gross receipts by a comparable percentage. (Supervisor Hallinan)

File 127-94-3, Ordinance No.

(Amends Section 903.1 and adds Section 1004.19.)

Supervisor Bierman, seconded by Supervisor Hallinan, moved to continue consideration to August 29, 1994.

Motion to continue refused adoption by the following vote:

Ayes: Supervisors Bierman, Hallinan, Migden - 3.

Noes: Supervisors Conroy, Kaufman, Shelley - 3.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

The roll was then called on the pending ordinance and it was refused passage for second reading by the following vote:

Ayes: Supervisors Bierman, Hallinan - 2.

Noes: Supervisors Conroy, Kaufman, Migden, Shelley - 4.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

PUBLIC COMMENT

The privilege of the floor was granted to the following person:

Jay Read, street artist space.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Conroy requested that the following measures be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[Federal Legislation, S 1822, Telecommunications]
Resolution urging the Senate to provide that any new version of S 1822 must allow local governments to negotiate franchise agreements with telephone companies that provide video/cable services and programming as well as preempt local tax authority. (Supervisor Kennedy)

File 13-94-19, Resolution No.

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.)

At the request of Supervisor Conroy referred to Government Efficiency and Labor Committee.

[Management Audit, San Francisco Rent Board]
Motion directing the Budget Analyst to conduct a management audit of the rent Board (Residential Rent Stabilization and Arbitration Board). (Supervisor Kennedy)

File 165-94-10

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.)

At the request of Supervisor Conroy, referred to Rules Committee.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Women's Equality Day]
Resolution celebrating Women's Equality Day for its liberation of women throughout our nation. (Supervisors Conroy, Alioto, Shelley)

File 4-94-21, Resolution No. 708-94

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Humanitarian Relief - Rwanda]
Resolution urging the Mayor to urge the citizens of San Francisco to put forth a humanitarian effort towards the refugees of Rwanda and urging the Mayor to consider using City Hall as a drop-off site for public donations; and to call a press conference to announce to the citizens of the City and County the request for donations. (Supervisors Kennedy, Bierman, Alioto, Migden, Hallinan, Shelley)

File 13-94-18, Resolution No. 709-94

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[S 993/HR 4771, Unfunded Federal Mandates]
Resolution urging the United States Congress to enact the Federal Mandate Accountability and Reform Act in this session of Congress. (Supervisors Kennedy, Alioto)

File 13-94-20, Resolution No. 710-94

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

[HR 3355, Anti-Crime Proposal]
Resolution urging the House of Representatives and the Senate to reach a closure and send to the White House meaningful, yet balanced legislation immediately regarding HR 3355, which would provide funding for hiring up to 100,000 cops on the beat. (Supervisors Kennedy, Alioto, Shelley)

File 13-94-21, Resolution No. 711-94

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Needle Exchange Program]
Resolution urging President Clinton to instruct the United States Surgeon General to lift the ban on federal funding for needle exchange programs and support needle exchange as part of a comprehensive HIV prevention plan. (Supervisors Alioto, Hallinan, Shelley, Bierman)

File 13-94-22, Resolution No. 729-94

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

[Medicinal Marijuana]
Resolution urging President Bill Clinton to reconsider the recent decision by the Department of Health and Human Services to uphold the ban on medicinal marijuana and to allow patient access to marijuana for appropriate medicinal use. (Supervisors Alioto, Hallinan, Shelley, Bierman)

File 13-94-23, Resolution No. 730-94

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

[Right to Safely Access Abortion Clinics]
Resolution urging the federal government and the state government of Florida to use all means to punish the murderers and to take all steps necessary to guarantee the safety and availability of abortions for women. (Supervisors Maher, Alioto, Shelley)

File 13-94-24, Resolution No. 712-94

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Abortion Clinics]
Resolution condemning continued violence nationwide against health clinics providing abortion services and urging law enforcement agencies to uphold laws protecting women's access to clinics providing abortion services. (Supervisors Migden, Alioto, Shelley)

File 13-94-25, Resolution No. 713-94

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[HR 3433, Presidio Public Benefit Corporation Funds]
Resolution opposing amendments to HR 3433 that would require San Francisco to match operating funds for the Presidio Public Benefit Corporation. (Supervisor Shelley)

File 13-94-26, Resolution No. 714-94

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

[Kids Start Collaborative]
Resolution urging the Mayor to fund the Kid's Start Collaborative program with available Proposition J (Children's Fund) funds in the coming year. (Supervisor Conroy)

File 185-94-002, Resolution No. 726-94

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

[Treasure Island Museum]
Resolution supporting the campaign to save the Treasure Island Museum and urging the Navy to restore its funding to the museum through 1997. (Supervisors Shelley, Alioto)

File 244-94-015, Resolution No. 728-94

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the Declaration of Emergency in connection with the Needle Exchange Program. (Supervisors Alioto, Leal, Bierman, Shelley)

File 030-94-001.15

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[Final Map, Condominium Project]
Motion approving final map of 340 Ritch Street, a condominium project, being a resubdivision of Lot 150 in Assessor's Block 3787, and adopting findings pursuant to City Planning Code Section 101.1(b). (Department of Public Works)

File 58-94-12

(August 1, 1994 - Introduced in Board for consideration on August 8, 1994.

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Severed from Immediate Adoption Calendar

Supervisor Hallinan requested that the following measure be severed from the Immediate Adoption Calendar and considered separately.

Tabled

[Election Declaration, Amendment to June 7, 1994]
Resolution declaring the results of the Primary Election conducted June 7, 1994, in the City and County of San Francisco, as amended. (Supervisor Alioto)

File 60-94-11.1, Resolution No.

The Clerk announced that this item was placed on the agenda at the request of the Registrar of Voters who was undergoing a recount in connection with the Peace and Freedom Party. The results indicated that no change is needed to the previous resolution adopted by the Board. The Registrar of Voters requested that the matter be tabled.

Supervisor Hallinan, seconded by Supervisor Bierman, moved to table.

Tabled by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

The Board thereupon resumed its consideration of the following item on the Immediate Adoption Calendar.

Immediate Adoption Calendar

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-32, Resolution No. 706-94

(Susan Leal, member, Board of Supervisors, August 8 - 14, 1994.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Migden, Shelley - 6.

Absent: Supervisors Alioto, Hsieh, Kennedy, Leal, Maher - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Traffic Regulations Procedures]
Ordinance amending Traffic Code by adding Section 43 to require the posting and publishing of public notices regarding proposed traffic regulations. Supervisor Maher presented. Referred to Housing and Land Use Committee.

File 097-94-043.

[National and Community Service Commission]
Ordinance amending Administrative Code by adding Sections 5.56 and 5.56-1, establishing the National and Community Service Commission. Supervisor Bierman presented. Referred to Economic Vitality/Social Policy Committee.

File 097-94-053.

Referred to Board

[Anti-Gay Education Act]
Resolution condemning the Helms/Smith anti-gay Education Act amendment in the Senate and urging the San Francisco Congressional Delegation to support the removal of this amendment. Supervisors Migden, Kaufman, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 15, 1994.

File 013-94-027.

Referred to Committee

[Stop Intersections, Castro-Roanoke/Chenery Sts.]
Resolution designating Castro and Chenery Streets and Roanoke and Chenery Streets as "Stop" intersections. Supervisor Alioto presented. Referred to Housing and Land Use Committee.

File 018-94-014.

[Pharmacy Feasibility Study]
Resolution urging the Department of Public Health and the Administration of the San Francisco General Hospital to meet with relevant parties to study different options for improving both cost and delivery of pharmacy services at San Francisco General Hospital; one of these options should be contracting out these services. Supervisor Leal presented. Referred to Budget Committee.

File 030-94-006.01.

[Interim Controls, Telegraph Hill]
Resolution imposing Interim Zoning Controls for a period of 18 months to establish the Telegraph Hill Scenic Conservation District applicable to all lots classified as Residential Use (R Districts) in Assessor's Blocks 54, 55, 50, 61, 62, 77, 78, 79, 85, 86, 87, 88, 103, 104, 105, 106, 113, 114, 115 and 116 limiting height and floor area ratio and providing for special design review by the City Planning Commission. Supervisor Maher presented. Referred to Housing and Land Use Committee.

File 111-94-002.

[Telegraph Hill Interim Control Freeze Order]
Resolution adopting order directing the Zoning Administrator, Superintendent of the Bureau of Building Inspection and other permit issuing or approving agencies, including the Board of Permit Appeals, to suspend action on applications for permits filed on or after June 18, 1994 which would be prohibited by the proposed Telegraph Hill Scenic Conservation District adopted by Board of Supervisors Resolution. Supervisor Maher presented. Referred to Housing and Land Use Committee.

File 111-94-002.01.

[Citizens' Advisory Committee, Charter Reform]
Resolution commending the Citizens' Advisory Committee on Charter Reform; recognizing the stewardship of Co-Chairs Holli P. Thier and Joseph Van Ness-Ballesteros; extending the term of the committee for six months; providing opportunities for public participation in charter reform and directing the Clerk to distribute copies of the resolution to committee members. Supervisor Kaufman presented. Referred to Rules Committee.

File 174-94-005.01.

Referred to Board

[National Service Blue Ribbon Commission]
Resolution rescinding Resolution Numbers 300-93 and 894-93 that created the National Service Blue Ribbon Commission. Supervisor Bierman presented. Referred to Board for Adoption Without Committee Reference Calendar August 15, 1994.

File 174-94-007.

Requests for Hearings:

[Jail Bond Ballot Argument]
Hearing to consider proponent's ballot argument concerning the San Bruno Jail bond measure. Supervisor Maher presented. Referred to Rules Committee.

File 60-94-12.02.

[Sewer Revenue Bond Ballot Argument]
Hearing to consider proponent's ballot argument concerning the sewer revenue bond measure. Supervisor Alioto presented. Referred to Rules Committee.

File 060-94-012.03.

[Asian Art Museum Bond Ballot Argument]
Hearing to consider proponent's ballot argument concerning the Asian Art Museum bond measure (Old Main Library). Supervisor Shelley presented. Referred to Rules Committee.

File 060-94-012.04.

[City Hall Improvements Bond Ballot Argument]
Hearing to consider proponent's ballot argument concerning City Hall non-seismic improvement bond measure. Supervisor Hsieh presented. Referred to Rules Committee.

File 060-94-012.05.

[Ballot Arguments, November 1994 Election]
Hearings to consider ballot arguments concerning all propositions on the November ballot for which no Supervisor has submitted an argument. Clerk of the Board. Referred to Rules Committee.

File 060-94-014.

[Building Inspection Commission Ballot Argument]
Hearing to consider ballot argument concerning the Building Inspection Commission initiative charter amendment. Clerk of the Board. Referred to Rules Committee.

File 060-94-015.

[Rent Control Ordinance Ballot Argument]
Hearing to consider ballot argument concerning the Rent Control initiative ordinance. Clerk of the Board. Referred to Rules Committee.

File 060-94-016.

[Transit Assessment District Ballot Argument]
Hearing to consider ballot argument concerning the Downtown Transit Assessment District initiative ordinance. Clerk of the Board. Referred to Rules Committee.

File 060-94-017.

[Free Public Notice Ordinance Ballot Argument]
Hearing to consider ballot argument concerning the Free Public Notices initiative ordinance. Clerk of the Board. Referred to Rules Committee.

File 060-94-018.

[Collection of Refuse/Recycling Ballot Argument]
Hearing to consider ballot argument concerning the Collection of Refuse and Recycling initiative ordinance. Clerk of the Board. Referred to Rules Committee.

File 060-94-019.

[Ferry Building/Pier 52 Ordinance Ballot Argument]
Hearing to consider ballot argument concerning the Ferry Building and Pier 52 initiative ordinance. Clerk of the Board. Referred to Rules Committee.

File 060-94-020.

[Youth Commission Policy Ballot Argument]
Hearing to consider ballot argument concerning the Youth Commission declaration of policy. Clerk of the Board. Referred to Rules Committee.

File 060-94-021.

[Hamilton Recreation Center]
Hearing to consider the death of Abiel Toeaina at the Hamilton Recreation Center. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 193-94-005.

[Domestic Partners Ballot Argument]
Hearing to consider proponent's ballot argument concerning the domestic partners charter amendment. Supervisor Migden presented. Referred to Rules Committee.

File 262-94-002.

[Commission on Status of Women Ballot Argument]
Hearing to consider proponent's ballot argument concerning the Commission on the Status of Women charter amendment. Supervisor Maher presented. Referred to Rules Committee.

File 265-94-002.

[Salary Reform Ballot Argument]
Hearing to consider proponent's ballot argument concerning salary reform charter amendment. Supervisor Shelley presented. Referred to Rules Committee.

File 273-94-002.

[Elections Task Force Ballot Argument]
Hearing to consider proponent's ballot argument concerning the Elections Task Force proposition. Supervisor Hallinan presented. Referred to Rules Committee.

File 278-94-002.

[Annual Appropriation Ordinance, 1994-95]
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1995. Returned by the Mayor with line item vetoes. Consideration continued to August 15, 1994.

File 101-94-2.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 045-94-046. [Settlement of Litigation, Hyun Cho] Ordinance authorizing settlement of litigation of Hyun Cho against the City and County of San Francisco by payment of $15,000. (Municipal Court No. 097-345) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 096-94-003. [Sale of Real Property, Parking Authority] Ordinance approving the sale of Lot 1 in Assessor's Block 4213 to the San Francisco Parking Authority for the purposes of constructing an off-street parking facility to serve the San Francisco General Hospital, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department) Referred to Budget Committee.

File 097-94-052. [Hold Harmless Agreement, DPH with MAXIMUS, Inc.] Ordinance amending Administrative Code by adding Section 1.47 thereto, authorizing the Health Commission to execute hold harmless agreements with MAXIMUS, Inc., a contractor with the Federal Social Security Administration, to provide referral, case management and monitoring services to residents of San Francisco who require substance abuse treatment services. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 101-94-008. [Appropriation, Mayor's Office of Community Dev] Ordinance appropriating $84,023, Mayor's Office of Community Development, of dispute resolution filing fees for professional special service contracts (Dispute Resolution Program), and permanent salaries, for fiscal year 1994-95. RO #94037 (Controller) Referred to Budget Committee.

File 164-94-001.01. [Street Vacation, McAllister/Polk/Redwood] Ordinance ordering the vacation of subsurface areas of portions of McAllister, Polk and Redwood Streets adjoining Assessor's Block 766, Lots 2, 3, 4 and 5, and adopting findings that the vacation is consistent with the City's Master Plan and eight priority policies of City Planning Code Section 101.1, and adopting and incorporating findings pursuant to the California Environmental Quality Act. (Also see File 164-94-1). (Supervisor Alioto) Referred to Government Efficiency and Labor Committee with request it be sent "Without Recommendation" to the full Board for public hearing on August 22, 1994.

Resolutions Referred to Committee

File 027-94-014. [Airport, Rates and Charges, Findings] Resolution making a finding that the schedule of rates and charges for common use facilities established by the Airports Commission effective July 1, 1994 will be sufficient to pay for maintenance and operation expenses of the Airport and will not require any tax subsidy; companion measure to File 27-94-14.1. (Airports Commission) Referred to Budget Committee.

File 027-94-014.01. [Airport, Rates and Charges, Changes to Schedule] Resolution approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by Airports Commission; companion measure to File 27-94-14. (Airports Commission) Referred to Budget Committee.

File 064-94-014. [Lease, Police Department, 10th and Howard Streets] Resolution authorizing the lease of real property at 10th and Howard Streets (St. Joseph's Facilities) for the San Francisco Police Department's Crime Prevention Unit. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 128-94-001. [Hazardous Materials Fee and Penalty Liens] Resolution confirming report of delinquent hazardous materials fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessment and liens based thereon. (Department of Public Health) Scheduled for public hearing on Board calendar August 29, 1994 at 3:00 p.m.

File 156-94-003. [Federal Funding, Refugee Employment Programs] Resolution approving modified allocations of federal dollars for Refugee Employment Programs. (Private Industry Council) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Maher, that City Attorney draft resolution urging the Department of Parking and Traffic not to issue parking citations after 11:00 p.m. nor before 7:00 a.m. except in cases of handicap zones, blocking driveway access or egregious cases of parallel parking on sidewalks or circumstances involving clearly dangerous situations and street cleaning restricted zones are to be held in force and ticketed as designated by posted signs.

By Supervisor Conroy, that letters be sent to Chief, Fire Department and Chief Administrative Officer concerning diesel fuel emission requirements to determine what actions are contemplated relative to its impact to the surrounding areas; such as, firehouses, etc.

By Supervisor Conroy, that letter be sent to General Manager, Municipal Railway, concerning transportation services to inquire about plans to stop offering certain services at 10:00 p.m.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Robert J. Grassilli (Supervisor Alioto)
Mildred Huey Williams (Supervisor Kennedy)

File 2-94-32

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 4:21 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on August 29, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, August 15, 1994

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 89 Number 33

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 15, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Angela Alioto, the meeting was called to order at 2:04 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 8.

Noted absent at first roll call:

Absent: Supervisors Alioto, Hsieh, Maher - 3.

Quorum present.

Supervisor Alioto excused, on official leave of absence.

Supervisor Hsieh excused, on official leave of absence.

Supervisor Maher was noted present at 2:05 p.m.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Kennedy, seconded by Supervisor Kaufman, moved that Supervisor Leal be appointed President Pro Tempore.

Motion adopted by the following vote:

Supervisors Bierman, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Conroy, Hsieh - 3.

Supervisor Leal assumed the Chair.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Maher, seconded by Supervisor Kennedy, moved that the Journal of Proceedings for Monday, July 18, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hsieh - 2.

CONSENT CALENDAR

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Settlement of Litigation, Tony Yuen]
Ordinance authorizing settlement of litigation of Tony Yuen v. CCSF, et al against the City and County by payment of $11,000. (City Attorney)

File 45-94-45, Ordinance No. 304-94

(Municipal Court No. 069-172)

Finally passed.

[Lease Renewal, 25 Van Ness Ave, Bull's Texas Cafe]
Ordinance authorizing and approving renewal of a lease of space in City-owned property at 25 Van Ness Avenue, consisting of a portion of the ground floor, to Liu's Family and Restaurant Management, Inc., commencing retroactively as of July 1, 1994. (Real Estate Department)

File 65-94-15, Ordinance No. 306-94

(Fiscal Impact.)

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hsieh - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Adopted

[Extending Time for Consideration of AAO Line Item Veto]
Motion extending to August 31, 1994, the deadline for the Board of Supervisors to consider and act upon the Mayor's veto of portions of the Annual Appropriation Ordinance for fiscal year 1994-95. (Supervisor Bierman)

File 101-94-2.2

Supervisor Bierman, seconded by Supervisor Kaufman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Rereferred to Committee

[Annual Appropriation Ordinance, 1994-95]
Ordinance appropriating all estimated receipts and all estimated expenditures for the City and County of San Francisco for the fiscal year ending June 30, 1995.

File 101-94-2, Ordinance No.

(July 25, 1994 - Finally Passed.
August 4, 1994 - From the Mayor; letter returning the Annual Appropriation Ordinance with line item vetoes.)
(August 8, 1994 - Consideration continued to August 15, 1994.)
(August 20, 1994 - Deadline for action on veto unless extended.)

Supervisor Bierman, seconded by Supervisor Migden, moved to rerefer to the Budget Committee with direction to report back to the Board August 29, 1994.

Motion to rerefer to Committee adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Recommendation of Government Efficiency and Labor Committee

Adopted

[Claims, Waiving Statute of Limitations]
Resolution waiving the statute of limitations with respect to payment of two warrants of the City and County of San Francisco totalling $1,201.79, a legal obligation of the City and County of San Francisco (Edmond C. Burke, $822.47 and Gerald J. McCarthy, $379.32). (Controller)

File 23-94-3, Resolution No. 715-94

(August 8, 1994 - Consideration continued to August 15, 1994.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Conference with Labor Negotiator -- Collective Bargaining

Adopted

Motion that the Board of Supervisors convene in closed session with Wendell Pryor, Director of Human Resources, and with Geoff Rothman the Acting Employee Relations Director, for the purpose of reviewing the City's position and instructing its designated representatives concerning collective bargaining negotiations involving all forms of compensation (including wages, hours, benefits and working conditions), with all recognized employee organizations, as authorized by California Government Code Section 54957.6.

(August 8, 1994 - Consideration continued to August 15, 1994.)

Supervisor Bierman, seconded by Supervisor Kaufman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hsieh - 2.

Recess

The Board recessed at the hour of 2:12 p.m. to convene in closed session pursuant to Government Code Section 54957.6 for the purpose of reviewing and instructing the City's designated employee relations representatives regarding salaries and fringe benefits for city employees.

Reconvening of the Board

The Board, at the hour of 2:34 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Noted absent:

Supervisors Alioto, Conroy, Hsieh, Maher - 4.

Quorum present.

Supervisor Alioto excused (see supra).

Supervisor Conroy was noted present at 2.49 p.m.

Supervisor Hsieh excused (see supra).

Supervisor Maher was noted present at 3:00 p.m.

Report on Closed Session

Deputy City Attorney Ted Lakey reported that the Board had met in closed session with the city's

employee relations representatives as provided in the Government Code for informational purposes only and no action was taken by the Board.

Adopted

Motion that the Board of Supervisors finds that it is in the best interest of the public and elects not to disclose its closed session deliberations in pending employee relations negotiations.

Supervisor Kaufman, seconded by Supervisor Bierman, moved adoption.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisors Alioto, Conroy, Hsieh, Maher - 4.

COMMITTEE REPORTS

Recommendation of Government Efficiency and Labor Committee

Passed for Second Reading

[Memorandum of Understanding - Salaries and Wages]
Ordinance adjusting and fixing schedules of compensation effective July 1, 1994, to be paid under the provisions of Charter Section 8.404 to employees occupying Classification 9163 Transit Operator and related trainee class; and incorporating by reference an amendment to the Memorandum of Understanding between the City and County of San Francisco and Transport Workers Union, provisions hereof to remain in effect until the adoption of any ordinance establishing different provisions; providing for ratification of action previously taken. (Department of Human Resources)

File 104-94-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Hallinan, Kaufman, Kennedy, Leal, Migden, Shelley - 7.

Absent: Supervisors Alioto, Conroy, Hsieh, Maher - 4.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Jennie Arnold, medical diagnosis regulations;
R. J. Hampton, World Unity Conference;
Lucinda Postel, car theft;
Milton Hayes, hotel industry.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Bierman requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[National Service Blue Ribbon Commission]
Resolution rescinding Resolution Numbers 300-93 and 894-93 that created the National Service Blue Ribbon Commission. (Supervisor Bierman)

File 174-94-007, Resolution No.

(August 8, 1994 - Introduced in Board for consideration on August 15, 1994.)

At the request of Supervisor Bierman referred to Economic Vitality and Social Policy Committee.

The Board thereupon resumed its consideration of the following item on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Anti-Gay Education Act]
Resolution condemning the Helms/Smith anti-gay education act amendment in the Senate and urging the San Francisco Congressional Delegation to support the removal of this amendment. (Supervisors Migden, Kaufman, Alioto, Leal, Shelley, Bierman)

File 013-94-027, Resolution No. 731-94

(August 8, 1994 - Introduced in Board for consideration on August 15, 1994.)

Adopted.

In connection with the above item, Supervisors Leal, Shelley, Bierman requested to be added as co-sponsors.

The foregoing item on the For Adoption Without Committee Reference Calendar was adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Kaufman, Kennedy, Leal, Migden - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Maher, Shelley - 5.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-33, Resolution No. 707-94

(Mayor Frank M. Jordan, August 12 - 17; Tom Hsieh, member, Board of Supervisors, September 24 - 29; Preston Cook, member, Port Commission, August 9 - 10, 1994.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Kaufman, Kennedy, Leal, Migden - 6.

Absent: Supervisors Alioto, Hallinan, Hsieh, Maher, Shelley - 5.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Workers Compensation Claims Management]
Ordinance amending Administrative Code by adding Section 16.83-5 regarding claims management and responsibility for workers compensation. Supervisor Conroy presented. Referred to Economic Vitality/Social Policy Committee.

File 097-94-054.

Referred to Board

[Commend, P-Flag's 13th Annual Convention]
Resolution recognizing P-Flag's (Parents, Families and Friends of Lesbian and Gays) contribution to the San Francisco community and welcoming its members to San Francisco during P-Flag's 13th Annual Convention. Supervisors Migden, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 22, 1994.

File 006-94-049.

[Commend, Greenpeace Day]
Resolution commending Greenpeace for its ongoing efforts on behalf of preserving the earth and declaring August 25, the first full day of the docking of the M/V Greenpeace in San Francisco, "San Francisco Greenpeace Day". Supervisors Hallinan, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 22, 1994.

File 006-94-050.

[Early Voting Pilot Program]
Resolution urging the City and County of San Francisco to participate in the State's early voting pilot project for the November 8, 1994 General Election. Supervisor Migden presented. Referred to Board for Adoption Without Committee Reference Calendar August 22, 1994.

File 060-94-022.

Referred to Committee

[Health Security Act, Prop. 186, Single-Payer]
Resolution establishing the policy of the City and County of San Francisco to support the California Health Security Act (Proposition 186) ballot initiative of 1994 (also known as The Single-Payer Initiative). Supervisor Shelley presented. Referred to Health/Public Safety/Environment Committee.

File 060-94-023.

[Workers' Compensation]
Resolution urging the Mayor to urge the appropriate city departments to establish the position of Benefit Coordinator and Administrator with competence in oversight of a Workers Compensation Division, claims analysis, investigation, integration of systems and reform of workers compensation. Supervisor Conroy presented. Referred to Economic Vitality/Social Policy Committee.

File 221-94-006.

[Workers Compensation]
Resolution urging the District Attorney to aggressively pursue any and all workers compensation fraud cases. Supervisor Conroy presented. Referred to Economic Vitality/Social Policy Committee.

File 221-94-007.

[Workers Compensation]
Resolution urging the Mayor to urge the appropriate City departments to establish the position of Health Care Analyst within the Workers Compensation Division. Supervisor Conroy presented. Referred to Economic Vitality/Social Policy Committee.

File 227-94-008.

[Presidio Golf Course]
Resolution opposing the Army's plan to keep the Presidio golf course and the revenues it generates after the Presidio transitions to the National Park Service. Supervisors Shelley, Alioto presented. Referred to Select Committee on Base Conversion for the Presidio, Hunters Point Naval Shipyard and Treasure Island.

File 244-94-017.

Requests for Hearings:

[Children's Fund (Prop. J Allocations)]
Hearing to consider the formula used for allocating and prioritizing requests for funds from the Children's Fund (Proposition J). Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee.

File 185-94-001.01.

[Environmental State of the City Report]
Hearing to consider the Commission on the Environment's "Environmental State of the City Report". Supervisor Shelley presented. Referred to Health/Public Safety/Environment Committee.

File 252-94-003.

[Franchise]
Hearing to consider request to exempt the Women's Energy, Inc. from city franchise requirements in connection to certain electric services at the Presidio. Supervisor Kennedy presented. Referred to Select Committee on Base Conversion for the Presidio, Hunters Point Naval Shipyard and the Presidio Army Base with request it be considered at the September 8, 1994 meeting.

File 285-94-001.

[Small Business Advisory Commission]
Hearing to consider the status of the Small Business Advisory Commission, its members and failure to meet. Supervisors Hallinan, Alioto presented. Referred to Government Efficiency/Labor Committee.

File 286-94-001.

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 22, 1994.

File 030-94-001.16.

Referred to Committee

[Select Committee on Base Closures]
Motion continuing a Select Committee on Base Closures of the Board of Supervisors to consider the impacts on City services of the closures of the Hunters Point Naval Shipyard, Presidio Army Base and Naval Station Treasure Island and the impacts on City services of the transition of the Presidio Army Base to the National Park Service. Supervisor Shelley presented. Referred to Rules Committee.

File 054-94-007.

Motion Adopted;
Report from District Attorney Scheduled

[Request District Attorney's Appearance]
Motion requesting that the District Attorney appear before the Board of Supervisors to explain his refusal to honor the request by the Board of Supervisors and the Mayor that the District Attorney no longer use the fact of condom possession as evidence in prostitution offenses.

File 207-94-008.01.

Supervisor Hallinan, seconded by Supervisor Bierman, moved adoption with request that the Clerk schedule this matter for September 6, 1994 before the full Board.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hallinan, Kaufman, Kennedy, Leal, Migden - 7.

Absent: Supervisors Alioto, Hsieh, Maher, Shelley - 4.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 036-94-005. [Zoning Map Change, 1240 Valencia Street] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 1240 Valencia Street, Lot 5, Assessor's Block 3644 from a P District to a Valencia Street Neighborhood Commercial District and adopting findings pursuant to Planning Code Section 101.1. (Planning Department) Referred to Housing and Land Use Committee.

File 065-94-016. [Lease, Port between Humm Baby Associates]. Ordinance approving lease agreement between Humm Baby Associates and the City and County of San Francisco, operating by and through the San Francisco Port Commission for a public plaza and park on Seawall Lot 329 (Bryant and the Embarcadero). (Port) Referred to Government Efficiency/Labor Committee.

File 115-94-010. [Civic Center Historic District] Ordinance amending Article 10 of the City Planning Code by adding Appendix J, Sections 1 through 13, designating the San Francisco Civic Center Historic District. (Planning Department) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 014-94-001. [Garbage Liens] Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for public hearing on the Board Calendar of August 29, 1994 at 3:00 p.m.

File 030-94-023. [Delinquent Reinspection Fee Lien] Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health) Scheduled for public hearing before Board on August 29, 1994, at 3:00 p.m.

File 048-94-017. [Settlement of Claim, World Savings Loan Assn.] Resolution authorizing settlement of unlitigated claim of World Savings & Loan Association, in the sum of $756,922.39 (consisting of $607,555.40 in tax refunds and $149,366.99 in interest) to be paid in four equal annual installments. (City Attorney) Referred to Government Efficiency/Labor Committee.

File 064-94-015. [Lease Extensions, Sheriff and District Attorney] Resolution authorizing extension of certain existing leases of real property required by the Sheriff and District Attorney. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 089-94-015. [SDI, Class 2560, Rehabilitation Coordinator] Resolution authorizing enrollment of Classification 2560, Rehabilitation Coordinator in the State Disability Insurance Program. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 146-94-018. [Acceptance/Expenditure of State Grant Funds, DPH] Resolution authorizing the acceptance and expenditure of State Grant Funds by the San Francisco Department of Public Health for 1994-95. (Also see File 146-93-56.) (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 172-94-030. [Agreement, Sheriff/University of California] Resolution authorizing the San Francisco Sheriff's Department to enter into agreement with the University of California, San Francisco, for program evaluator services, which agreement provides for dual indemnification from claims or other damages which may arise as a result of performance under said Agreement. (Sheriff) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Conroy, that Budget Analyst be requested to provide, on an expedited basis, information regarding the Tax Collector's permit and license fees collection procedures to determine the amount of lost revenues caused by failure to collect the license and permit fees.

By Supervisor Conroy, that letter be sent to Inspector Jeff Levin commending him for his prompt investigation in solving the August 5, 1994 automobile/pedestrian accident along the Embarcadero involving Tina Frank and the late Calvin Threadgill.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Frank Booker (Supervisor Kennedy)
John Carr Bentel (Supervisor Conroy)
Victor Marcus (Supervisor Kaufman)

File 2-94-33

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:20 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 7, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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Monday, August 22, 1994

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Journal of Proceedings

The Minutes of the

Board of Supervisors

City and County of San Francisco

Volume 89 Number 34

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 22, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date.

CALLING THE ROLL

In the absence of President Angela Alioto, the meeting was called to order at 2:03 p.m. by the Clerk. On call of the roll, the following Supervisors were noted present:

Supervisors Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 6.

Noted absent at first roll call:

Supervisors Alioto, Bierman, Conroy, Hallinan, Shelley - 5.

Quorum present.

Supervisor Alioto excused, on official leave of absence.

Supervisor Hallinan excused, on official leave of absence.

Supervisor Bierman was noted present at 2:06 p.m.

Supervisor Conroy was noted present at 2:08 p.m.

Supervisor Shelley was noted present at 2:05 p.m.

Election of President Pro Tempore

Following roll call of attendance by the Clerk, Supervisor Kennedy, seconded by Supervisor Leal, moved that Supervisor Maher be appointed President Pro Tempore.

Motion adopted by the following vote:

Supervisors Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 6.

Absent: Supervisors Alioto, Bierman, Conroy, Hallinan, Shelley - 5.

Supervisor Maher assumed the Chair.

APPROVAL OF JOURNAL

There being no errors, corrections or omissions, Supervisor Kennedy, seconded by Supervisor Migden, moved that the Journal of Proceedings for Monday, July 25, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Bierman, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Conroy, Hallinan - 3.

SPECIAL ORDER 2:00 P.M.

Recommendations of Rules Committee

Adopted

[Jail Bond Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition A, a bond measure concerning the

San Bruno Jail. (Supervisor Maher)

File 60-94-12.2

Adopted by the following vote:

Ayes: Supervisors Bierman, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Conroy, Hallinan - 3.

[Asian Art Museum Bond Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition B, a bond measure concerning the Asian Art Museum (Old Main Library). (Supervisor Shelley)

File 60-94-12.4

Adopted by the following vote:

Ayes: Supervisors Bierman, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 8.

Absent: Supervisors Alioto, Conroy, Hallinan - 3.

Adopted as Amended

[City Hall Improvements Bond Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition C, a bond measure concerning City Hall non-seismic improvements. (Supervisor Hsieh)

File 60-94-12.5

Supervisor Hsieh, seconded by Supervisor Kennedy, moved an amendment of the whole ballot argument.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Sewer Revenue Bond Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition D, a sewer revenue bond measure. (Supervisor Alioto)

File 60-94-12.3

Supervisor Hsieh, seconded by Supervisor Kennedy, moved an amendment of the whole ballot argument.

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Adopted

[Commission on Status of Women Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition E, a charter amendment concerning establishing a Commission on the Status of Women and amending Section 8.107 to provide that

members of the Commission on the Status of Women may be removed only for cause. (Supervisor Maher)

File 265-94-2

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Salary Reform Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition F, a charter amendment concerning compensation and collective bargaining for city employees, officers and elected officials. (Supervisor Shelley)

File 273-94-2

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Domestic Partners Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition H, a charter amendment concerning domestic partner benefits. (Supervisor Migden)

File 262-94-2

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Appointment of President Pro Tempore

At the request of the President, Supervisor Kennedy assumed the Chair.

[Ferry Building/Pier 52 Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition P, an ordinance concerning the Ferry Building and Pier 52. (Supervisor Bierman)

File 60-94-20

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

The President resumed the Chair.

From Rules Committee "Without Recommendation"

Adopted as Amended

[Elections Task Force Ballot Argument]
Motion authorizing proponent's ballot argument in favor of Proposition L, an ordinance concerning creating and specifying duties of an the Elections Task Force to recommended the best method for electing members of the Board of Supervisors. (Supervisor Hallinan)

File 278-94-2

Supervisor Migden, seconded by Supervisor Leal, moved an amendment of the whole as further amended by amending line 14 to replace "alternatives" with "options".

Amendment of whole ballot argument as further amended adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Adopted as amended by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Leal, Maher, Migden, Shelley - 7.

Noes: Supervisors Kaufman, Kennedy - 2.

Absent: Supervisors Alioto, Hallinan - 2.

CONSENT CALENDAR

Recommendation of Government Efficiency and Labor Committee

Adopted

[Water Dept./Granting Extension of Time]
Resolution granting extension of time for awarding Water Department Contract No. WD-212D, 8-inch ductile iron main installation in Hyde Street between McAllister and California Streets and Turk Street between Hyde and Larkin Streets. (Public Utilities Commission)

File 61-94-5, Resolution No. 736-94

Adopted.

The foregoing item on the Consent Calendar was acted upon by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

REGULAR CALENDAR

UNFINISHED BUSINESS

Recommendation of Government Efficiency and Labor Committee

Finally Passed

[Memorandum of Understanding - Salaries and Wages]
Ordinance adjusting and fixing schedules of compensation effective July 1, 1994, to be paid under the provisions of Charter Section 8.404 to employees occupying Classification 9163 Transit Operator and related trainee class; and incorporating by reference an amendment to the Memorandum of Understanding between the City and County of San Francisco and Transport Workers Union, provisions hereof to remain in effect until the adoption of any ordinance establishing different provisions; providing for ratification of action previously taken. (Department of Human Resources)

File 104-94-1.1, Ordinance No. 311-94

Finally passed by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

NEW BUSINESS

Recommendations of Government Efficiency and Labor Committee

Passed for Second Reading

[MOU, Building Inspectors Association]
Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Building Inspectors Association for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County awarded by the arbitration panel. (Department of Human Resources)

File 93-94-17.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Adopted

[MOU, Building Inspectors]
Resolution ratifying administrative provisions of Memorandum of Understanding between the Building Inspectors Association and the City and County for 6331 Building Inspector and 6333 Senior Building Inspector awarded by the panel of arbitrators; companion measure to File 93-94-17.1. (Department of Human Resources)

File 93-94-17.2, Resolution No. 754-94

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Passed for Second Reading

[MOU, Building Inspectors Assoc., Chief Inspector]
Ordinance implementing fiscal provisions of Memorandum of Understanding between the Building Inspectors Association for 6334 Chief Building Inspector and the City and County awarded by the arbitration panel. (Department of Human Resources)

File 93-94-17.3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Adopted

[MOU, Building Inspectors Assoc., Chief Inspector]
Resolution ratifying administrative provisions of Memorandum of Understanding between the Building Inspectors Association and the City and County for 6334 Chief Building Inspector awarded by the panel of arbitrators; companion measure to File 93-94-17.3. (Department of Human Resources)

File 93-94-17.4, Resolution No. 755-94

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Passed for Second Reading

[Sale of Real Property, Parking Authority]
Ordinance approving the sale of Lot 1 in Assessor's Block 4213 to the Parking Authority for the purposes of constructing an off-street parking facility to serve the San Francisco General Hospital, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 96-94-3, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Hold Harmless Agreements, DPH with MAXIMUS, Inc.]
Ordinance amending Administrative Code, authorizing the Health Commission to execute hold harmless agreements with MAXIMUS, Inc., a contractor with the Federal Social Security Administration, to provide referral, case management and monitoring services to residents of San Francisco who require substance abuse treatment services. (Department of Public Health)

File 97-94-52, Ordinance No.

(Adds Section 1.47.)

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Adopted

[Lease, Police Department, 10th and Howard Streets]
Resolution authorizing the lease of real property at 10th and Howard Streets (St. Joseph's Facilities) for the Police Department's Crime Prevention Unit. (Real Estate Department)

File 64-94-14, Resolution No. 744-94

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Grant, Federal Funds, Lead-Based Paint Hazard Reduction Program]
Resolution authorizing the Mayor to accept and expend a grant for a lead-based paint hazard reduction program from the U.S. Department of Housing and Urban Development for a total amount not to exceed Six Million Dollars ($6,000,000) for a program authorized under the Department of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriation Act, 1992, Public Law Number 1020139; $60,000 of indirect costs associated with the acceptance of these grant funds is included in the budget of proposed expenditure; placing $2,101,820 on reserve. (Supervisors Shelley, Alioto)

File 68-94-10, Resolution No. 745-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Federal Funding, Refugee Employment Programs]
Resolution approving modified allocations of federal dollars for Refugee Employment Programs. (Supervisor Alioto)

File 156-94-3, Resolution No. 732-94

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Grand Jury Recommendations]
Motion directing the Clerk of the Board of Supervisors to submit comments on the final recommendations of the 1993-94 Civil Grand Jury to the Presiding Judge of the Superior Court pertaining to the Sheriff's Department Inmate Welfare Fund. (Government Efficiency and Labor Committee)

File 39-94-8

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

Recommendations of Rules Committee

Adopted

[Appointment]
Resolution appointing member to the City-Wide Alcoholism Advisory Board for the unexpired portion of three-year term ending July 1, 1995. (Rules Committee)

File 92-93-48, Resolution No. 751-94

(Otis D. Turner, vice Joe Caruso, resigned.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Appointment]
Resolution appointing member to the Veterans Affairs Council, for the unexpired portion of four-year term ending January 31, 1998. (Rules Committee)

File 92-93-49, Resolution No. 752-94

(Edwin A. Wilkerson, vice Mary O'Toole Goodspell, resigned.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Appointment]
Resolution appointing member to the Airport Noise Committee, for new three-year term ending September 30, 1996. (Rules Committee)

File 92-93-60.4, Resolution No. 753-94

(Juan Escano, Jr., vice James Estey, term expired.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Mayor's Appointment to the Port Commission]
Resolution confirming Mayor's appointment to the Port Commission, for the four-year term ending May 1, 1998. (Mayor)

File 33-94-4, Resolution No. 742-94

(Michael Hardeman, vice James Herman, term expired.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Appointments, City-Wide Alcoholism Advisory Board]
Resolution appointing members to the City-Wide Alcoholism Advisory Board. (Rules Committee)

File 92-94-6, Resolution No. 746-94

(Linda Davis-Hills, vice Mary Jane D'Orazi, resigned, for three-year term ending July 1, 1997; Lynne A. Torres, vice William Gatt, resigned, for three-year term ending July 1, 1997; Deborah Anne Doyle, vice Paula Fiscal Ballantine, resigned, for unexpired portion of three-year term, ending July 1, 1996.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Appointments, City-Wide Alcoholism Advisory Board]
Resolution appointing members to the City-Wide Alcoholism Advisory Board, terms expired. (Rules Committee)

File 92-94-29, Resolution No. 747-94

(Eugene Coleman, vice himself, for three-year term ending July 1, 1997;
Georgia B. Creel, vice herself, for three-year term ending July 1, 1997;
Deborah Dupire, vice herself, for three-year term ending July 1, 1997;
Louis J. Dunn, vice himself, for three-year term ending July 1, 1996.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Appointments, Park and Open Space Advisory Committee]
Resolution appointing members to the Park and Open Space Advisory Committee, terms expired, for two-year terms ending July 1, 1996. (Rules Committee)

File 92-94-31.1, Resolution No. 748-94

(Nan McGuire, vice herself;
Lonnie Lawson, vice himself;
Sharon Hewitt, vice herself;
Claire Isaacs, vice herself;
Alan Weaver, vice himself;
Ina F. Dearman, vice herself.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Appointment, Hazardous Materials Advisory Committee]
Resolution appointing member to the Hazardous Materials Advisory Committee, for a four-year term ending July 1, 1998. (Rules Committee)

File 92-94-37, Resolution No. 749-94

(Aurea Luis-Carnes, Environmental Industry, vice herself, term expired.)

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

[Appointment, Association Bay Area Governments, Executive Board] Resolution appointing Supervisor Kevin Shelley to the Association of Bay Area Governments Executive Board, for one-year term ending June 30, 1995. (Rules Committee)

File 92-94-38, Resolution No. 750-94

Supervisor Shelley Excused from Voting

Supervisor Kennedy, seconded by Supervisor Kaufman, moved to excuse Supervisor Shelley from voting.

Motion adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden - 8.

Excused: Supervisor Shelley - 1.

Absent: Supervisors Alioto, Hallinan - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public Hearing]
Hearing of persons interested in or objecting to the vacation of subsurface areas of portions of McAllister, Polk and Redwood Streets adjoining Assessor's Block 766, Lots 2, 3, 4 and 5, and adopting findings that the vacation is consistent with the City's Master Plan and eight priority policies of City Planning Code Section 101.1, and adopting and incorporating findings pursuant to the California Environmental Quality Act.

File 164-94-1.1

(Pursuant to notice of intention given in Resolution No. 616-94, adopted July 18, 1994.)

The President inquired if anyone present wished to speak.

There being no response, the President declared the hearing closed.

From Government Efficiency and Labor Committee
Without Recommendation

Passed for Second Reading

[Street Vacation, McAllister, Polk, Redwood Streets]
Ordinance ordering the vacation of subsurface areas of portions of McAllister, Polk and Redwood Streets adjoining Assessor's Block 766, Lots 2, 3, 4 and 5, and adopting findings that the vacation is consistent with the City's Master Plan and eight priority policies of City Planning Code Section 101.1, and adopting and incorporating findings pursuant to the California Environmental Quality Act. (Supervisor Alioto)

File 164-94-1.1, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing of persons interested in or objecting to the approval of final map of 2090 Pacific Avenue, a condominium project, being a resubdivision of Lot 11-a in Assessor's Block 578, and adopting the City and County's settlement and general release agreement dated June 22, 1992.

File 58-94-13

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Max Staff.

There being no one else present wishing to speak, the President declared the hearing closed.

From Department of Public Works

Adopted

[Condominium Project]
Motion approving final map of 2090 Pacific Avenue, a condominium project, being a resubdivision of Lot 11-a in Assessor's Block 578, and adopting the City and County's settlement and general release agreement dated June 22, 1992. (Department of Public Works)

File 58-94-13

Adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

PUBLIC COMMENT

The President inquired if anyone present wished to speak.

There being no response, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Conroy requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Adopted

[Early Voting Pilot Program]
Resolution urging the City and County of San Francisco to participate in the State's early voting pilot project for the November 8, 1994 General Election. (Supervisors Migden, Shelley, Bierman)

File 60-94-22, Resolution No. 743-94

(August 15, 1994 - Introduced in Board for consideration on August 22, 1994.)

Supervisor Conroy requested the matter be referred to Committee.

Supervisor Migden, seconded by Supervisor Kennedy, moved to suspend the Board of Supervisors Rules so this item need not go to committee.

Motion to suspend the Rules adopted by the following vote:

Ayes: Supervisors Bierman, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisor Conroy - 1.

Absent: Supervisors Alioto, Hallinan - 2.

The roll was then called on the pending resolution and it was adopted by the following vote:

Ayes: Supervisors Bierman, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisor Conroy - 1.

Absent: Supervisors Alioto, Hallinan - 2.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

[Commend, P-Flag's 13th Annual Convention]
Resolution recognizing P-Flag's (Parents, Families and Friends of Lesbians and Gays) contribution to the San Francisco community and welcoming its members to San Francisco during P-Flag's 13th Annual Convention. (Supervisors Migden, Alioto, Shelley, Bierman)

File 6-94-49, Resolution No. 741-94

(August 15, 1994 - Introduced in Board for consideration on August 22, 1994.)

Adopted.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

[Commend, Greenpeace Day]
Resolution commending Greenpeace for its ongoing efforts on behalf of preserving the earth and declaring August 25, the first full day of the docking of the M/V Greenpeace in San Francisco, "San Francisco Greenpeace Day". (Supervisors Hallinan, Alioto, Shelley, Bierman)

File 6-94-50, Resolution No. 735-94

(August 15, 1994 - Introduced in Board for consideration on August 22, 1994.)

Adopted.

In connection with the above item, Supervisors Shelley, Bierman requested to be added as co-sponsors.

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. (Supervisors Alioto, Leal, Bierman, Shelley, Migden)

File 30-94-1.16

(August 15, 1994 - Introduced in Board for consideration on August 22, 1994.)

Adopted.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-34, Resolution No. 738-94

(Barbara Kaufman, member, Board of Supervisors, August 25 - 30; Michael Hennessey, Sheriff, September 23 - October 1; J. Stanley Mattison, Vice President, Airports Commission, August 21 - 24 and August 26 - September 5; Louise Renne, City Attorney, August 19 - 21; Michael S. Strunsky, member, Airports Commission, August 22 - 23, 1994.)

Adopted.

The foregoing item on the Immediate Adoption Calendar was adopted by the following vote:

Ayes: Supervisors Bierman, Conroy, Hsieh, Kaufman, Kennedy, Leal, Maher, Migden, Shelley - 9.

Absent: Supervisors Alioto, Hallinan - 2.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Campaign Contribution Cap]
Ordinance amending Administrative Code by amending Section 16.503 and adding Section 16.508-1, relating to limits on contributions to controlled ballot measure committees. Supervisor Hallinan presented. Referred to Government Efficiency/Labor Committee.

File 097-94-057.

[HIV Epidemic Joint Task Force, Extend Term]
Ordinance amending Administrative Code by amending Section 5.165 to extend the term of the Joint Task Force on the HIV Epidemic to January 1, 1995. Supervisor Kaufman presented. Referred to Health/Public Safety/Environment Committee.

File 097-94-058.

Referred to Board

["Popper" Warning Notices]
Resolution supporting expanded point-of-sale noticing of the health risks associated with popper use and urging re-introduction and passage of Senator Milton Marks' poppers noticing bill. Supervisors Migden, Leal presented. Referred to Board for Adoption Without Committee Reference Calendar August 29, 1994.

File 012-94-029.

[AB 2755, Medical Managed Care Program]
Resolution urging the City's Lobbyist to take necessary steps to ensure amendment of AB 2755 to allow city employees to be served by San Francisco's local initiative managed care program if they so choose. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar August 29, 1994.

File 012-94-030.

[ACA 47, Elimination of MBE/WBE Programs]
Resolution opposing Assembly Constitutional Amendment 47 which will eliminate MBE/WBE programs relating to the operation of the State's system of public employment, public education and public contracting.

Supervisor Shelley presented. Referred to Board for Adoption Without Committee Reference Calendar August 29, 1994.

File 012-94-031.

Referred to Committee

[Merrill Lynch and Company; Pony Express]
Resolution warning Merrill Lynch and Pony Express that it must observe Securities and Exchange Commission ban and labor laws or forfeit its right to do business with the City of San Francisco. Supervisor Maher presented. Referred to Economic Vitality/Social Policy Committee.

File 176-94-006.

Referred to Board

[Super Bowl]
Resolution endorsing the efforts of the Super Bowl Task Force and encouraging the task force to submit a bid on behalf of the City and County of San Francisco to host Superbowl XXXIII. Supervisors Conroy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar August 29, 1994.

File 197-94-003.

[PGA Tour]
Resolution welcoming the PGA Tour Championship, urging CalTrans to issue the permits necessary for the PGA Tour Championship. Supervisor Conroy presented. Referred to Board for Adoption Without Committee Reference Calendar August 29, 1994.

File 197-94-004.

[Management Compensation Packages]
Resolution urging the Mayor to direct the Civil Service Commission and Human Resources Department to review, reform and update current management compensation packages and standards for the City and County of San Francisco; and requiring reports on progress in achieving these revisions. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar August 29, 1994.

File 222-94-005.

Requests for Hearings:

[Rebuttal Argument to Prop A, Jail Bonds]
Hearing to consider motion authorizing rebuttal to opponent's ballot argument opposing Proposition A, the San Bruno Jail bond measure. Supervisor Maher presented. Referred to Rules Committee.

File 060-94-012.07.

[Rebuttal Argument, Prop B, Asian Art Museum]
Hearing to consider motion authorizing rebuttal to opponent's ballot argument opposing Proposition B, the Asian Art Museum bond measure. Supervisor Shelley presented. Referred to Rules Committee.

File 060-94-012.08.

[Rebuttal Argument to Prop C, City Hall Bonds]
Hearing to consider motion authorizing rebuttal to opponent's ballot argument opposing Proposition C, the City Hall bond measure. Supervisor Hsieh presented. Referred to Rules Committee.

File 060-94-012.09.

[Rebuttal Argument, Prop D, Sewer Bonds]
Hearing to consider motion authorizing rebuttal to opponent's ballot argument opposing Proposition D, the sewer revenue bond measure. Supervisor Alioto presented. Referred to Rules Committee.

File 060-94-012.10.

[Rebuttal Argument to Prop E, Comm Status Women]
Hearing to consider motion authorizing rebuttal to opponent's ballot argument opposing Proposition E, a charter amendment concerning the Commission on the Status of Women. Supervisor Maher presented. Referred to Rules Committee.

File 265-94-003.

[Rebuttal Argument, Prop F, Collective Bargaining]
Hearing to consider motion authorizing rebuttal to opponent's ballot argument opposing Proposition F, a charter amendment concerning collective bargaining. Supervisor Shelley presented. Referred to Rules Committee.

File 273-94-003.

[Rebuttal Argument to Prop H, Domestic Partners]
Hearing to consider motion authorizing rebuttal to opponent's ballot argument opposing Proposition H, a charter amendment concerning domestic partner retirement benefits. Supervisor Migden presented. Referred to Rules Committee.

File 262-94-003.

[Rebuttal Argument, Prop L, Elections Task Force]
Hearing to consider motion authorizing rebuttal to opponent's ballot argument opposing Proposition L, an ordinance concerning the Elections Task Force. Supervisor Hallinan presented. Referred to Rules Committee.

File 278-94-003.

[Rebuttal Argument, Prop P, Ferry Bldg/Pier 52]
Hearing to consider motion authorizing rebuttal to opponent's ballot argument opposing Proposition P, an ordinance concerning the Ferry Building and Pier 52. Supervisor Bierman presented. Referred to Rules Committee.

File 060-94-020.01.

[Request for Supplemental Appropriation]
Hearing to consider directing the Clerk of the Board of Supervisors to prepare a supplemental appropriation for the operation of the Municipal Access Channel in the amount of $84,000. Supervisor Kennedy presented. Referred to Budget Committee.

File 069-94-004.

[Green Zones]
Hearing to consider amending the Traffic Code by repealing Section 38.L Green Zones-Extension of Time. Supervisor Maher presented. Referred to Housing and Land Use Committee.

File 124-94-011.

[Graffiti]
Hearing to consider the progress on the City's efforts concerning graffiti. Supervisor Conroy presented. Referred to Economic Vitality/Social Policy Committee.

File 200-94-004.

[Youth Violence and Weapons]
Hearing to consider issues concerning youth violence and weapons. Supervisor Conroy presented. Referred to Economic Vitality/Social Policy Committee.

File 216-94-002.01.

[Native Americans]
Hearing to consider the cultural resources and social services available for Native Americans. Supervisor Kennedy presented. Referred to Economic Vitality/Social Policy Committee with request it be considered at the September 23, 1994 meeting.

File 287-94-001.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 011-94-001. [Redevelopment Plan Amendment Western Addition A-2] Ordinance amending Ordinance No. 273-64 amended by Ordinance No. 264-70, amended by Ordinance No. 288-76, amended by Ordinance No. 491-86, amended by Ordinance No. 452-87, amended by Ordinance No. 271-92, approving the Redevelopment Plan for the Western Addition Redevelopment Project Area A-2 by amending said plan in order to (1) extend the time for the duration of the Redevelopment Plan, including the provisions of other documents formulated pursuant thereto, from October 13, 1994 to January 1, 2009; (2) extend the time for incurring project debts to be repaid from the allocation of taxes pursuant to Section 33670 of the California Health and Safety Code by the Agency from October 13, 2000 to January 1, 2004; (3) extend the time for the Agency to receive allocation of taxes pursuant to Section 33670 of the California Health and Safety Code for the repayment of indebtedness incurred by the Agency from October 13, 1994 to January 1, 2019; (4) extend the time for eminent domain proceedings to acquire property within the project area, from October 13, 1994 to January 1, 2006; and (5) increase the amount of tax increment dollars which may be allocated to the Agency pursuant to Section 33670 of the California Health and Safety Code from $190.3 million to $270 million. (Redevelopment Agency) Scheduled for public hearing on Board calendar September 26, 1994 at 3:00 p.m.

File 097-94-055. [Professional Membership, Various Organizations] Ordinance amending Administrative Code by amending Section 16.6-5 thereof, to authorize Hetch Hetchy Water and Power to join various organizations. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 097-94-056. [Public Health Foundation Enterprises] Ordinance amending Administrative Code by adding Section 19A.33 to permit the Department of Public Health to enter into agreements with the Public Health Foundation Enterprises, Inc. enabling the Department of Public Health to provide research services for HIV Vaccine Preparedness Studies. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 101-94-011. [Appropriation, $1,287,000, Public Library] Ordinance appropriating $1,287,000, Public Library, of Library Preservation Fund Revenue for salaries, fringe benefits and other non-personal services, materials and supplies, equipment and services of other departments, for fiscal year 1994-95 (implement Proposition E). (Public Library) Referred to Budget Committee.

Resolutions Referred to Committee

File 064-94-016. [Lease of Property, 450 Seventh St., Police Dept.] Resolution authorizing a revocable license at 450 Seventh Street for the Police Department. (Real Estate Department) Referred to Government Efficiency/Labor Committee.

File 101-94-009. [Appropriations Limit, Fiscal Year 1994-95] Resolution establishing the appropriations limit for fiscal year 1994-95, pursuant to California Constitution Article XIII B. (Controller) Referred to Budget Committee.

File 146-94-019. [Grant - Federal, 1993 AIDS Case Definition Project] Resolution authorizing the Department of Public Health, AIDS Office, to apply for retroactively, accept and expend a grant of $274,227, which includes indirect costs in the amount of $31,022 based on twenty percent of salaries, from the Department of Health and Human Services, Centers for Disease Control and Prevention, to fund the Evaluation of the Impact of the 1993 AIDS Case Definition Project; providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 146-94-020. [Contract Funds, Medi-Cal Managed Care Program] Resolution authorizing the Department of Public Health to accept and expend up to $1,137,500 from the State Department of Health Services (DHS) in two phases between June 1, 1994 and December 31, 1995 to develop a Medi-Cal Managed Care Local Initiative, and to execute a contract with Progress Foundation to use these funds to pay for costs related to the development of the Local Initiative and the health delivery system in San Francisco, with the contractor to receive only minimal reimbursement for actual costs incurred to administer the contract; waiving indirect costs. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 148-94-005. [Grant-State, TDA Funds for Public Works Projects]
Resolution authorizing the Director of Public Works to execute the necessary documents to apply for, accept and expend $400,000 of Transportation Development Act (TDA) Article 3 Funds for Public Works Projects, including all indirect costs. (Department of Public Works) Referred to Government Efficiency/Labor Committee.

File 172-94-031. [Mutual Aid Agreement, Water Agencies] Resolution authorizing the General Manager of the Public Utilities Commission to execute a Mutual Aid Agreement with other water agencies in State OES Region 2. (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

File 172-94-032. [Contract, DPH/Shared Medical Systems Corporation] Resolution authorizing the contract between the City and County of San Francisco, Department of Public Health, and Shared Medical Systems Corporation to provide data processing services with Shared Medical System Corporation's proprietary software. (Also see File 101-93-109.1) (Department of Public Health) Referred to Budget Committee.

File 200-94-003. [Flower Market Permit, Approve Sale] Resolution approving the assignment or sale of

the flower market permit identified as "The Stockton Street Flower Market located on the east sidewalk of Stockton Street within 100 feet north of the northerly line of O'Farrell Street" to a qualified permit applicant pursuant to Article 5, Section 161(h) of the Public Works Code. (Department of Public Works) Referred to Housing and Land Use Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Conroy, that City Attorney investigate the "hoax" letter on Tax Collector's stationary indicating that the recipient of the letter owed business or payroll tax to the City and County to determine the misuse of the City seal and/or use of city resources.

By Supervisor Conroy, that the District Attorney investigate any criminal wrongdoings in regard to the "hoax" letter on Tax Collector's stationary sent to city businesses indicating that they owed business or payroll tax to the City and County.

By Supervisor Conroy, that letters be sent to the General Manager, Recreation and Park Department, and Director of Public Health concerning raw sewage at Pine Lake in Sigmund Stern Grove to request an investigation of the site and the need to post visible signs to alert patrons of the health hazard.

By Supervisor Hsieh, that City Attorney prepare appropriate legislation that would provide for the Board of Supervisors to appoint one of its members to the Airport Community Roundtable.

By Supervisor Kennedy, that City Attorney prepare motion directing the Clerk of the Board to prepare a supplemental appropriation for the operation of the Municipal Access Channel in the amount of $84,000. File 69-94-4.

By Supervisor Kennedy, that letters be sent to the Human Rights Commission, Department of Public Works and Department of Social Services notifying them of hearing to consider the cultural resources and social services available for Native Americans and requesting representatives from each department knowledgable of such matters be present at the September 23, 1994 Economic Vitality and Social Policy Committee meeting. File 287-94-1.

By Supervisor Kennedy, that letter be sent to Juvenile Probation Commission to inquire why $300,000 has been turned back to the State which were designated for a Physical Challenge Program at the Log Cabin Ranch and to intensively supervise youth released back into the community and why they voted against computerizing the department's information management system, losing $25,000 in federal subsidy.

By Supervisors Leal, Migden, Alioto, Shelley, that letter on behalf of the Board of Supervisors be sent to the Senate Appropriations Subcommittee on Labor, Health and Human Services and Education urging the adoption of higher levels of AIDS prevention funding for 1995.

By Supervisor Maher, that City Attorney prepare ordinance which would repeal Traffic Code, Section 38.L Green Zones-Extension of Time. File 124-94-11.

By Supervisor Maher, that City Attorney advise whether the budget complies with requirements of Proposition D, concerning minimum staffing level of police officers.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Harold S. Dobbs (By the Entire Board)
Marie Arata (By the Entire Board)
Rhoda Middleton Diridon (Supervisors Maher, Hsieh)
Hilda Segelkins (Supervisor Bierman)
Rikki Streicher (Supervisors Leal, Migden)

File 2-94-34

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 3:26 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 12, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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8-29-94
c.2

Monday, August 29, 1994

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Volume 89 Number 35

JOURNAL OF PROCEEDINGS

BOARD OF SUPERVISORS

Monday, August 29, 1994 - 2:00 p.m.

The Board of Supervisors of the City and County of San Francisco met in regular session on the above date with President Angela Alioto presiding.

CALLING THE ROLL

The meeting was called to order at 2:10 p.m. On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Leal, Migden - 7.

Noted absent at first roll call:

Supervisors Kaufman, Kennedy, Maher, Shelley - 4.

Quorum present.

Supervisor Kaufman excused, on official leave of absence.

Supervisor Kennedy was noted present at 2:13 p.m.

Supervisor Maher was noted present at 2:17 p.m.

Supervisor Shelley was noted present at 2:12 p.m.

APPROVAL OF JOURNALS

There being no errors, corrections or omissions, Supervisor Hallinan, seconded by Supervisor Hsieh, moved that the Journals of Proceedings for Monday, August 1 and 8, 1994, be approved.

Motion carried by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Leal, Migden - 7.

Absent: Supervisors Kaufman, Kennedy, Maher, Shelley - 4.

SPECIAL ORDER 2:00 P.M.

COMMITTEE REPORTS

Recommendations of Rules Committee

Supervisor Migden presented the following six items with recommendation of Rules Committee.

Adopted

[Rebuttal Argument, Prop A, Jail Bonds]
Motion authorizing rebuttal to opponent's ballot argument opposing Proposition A, the San Bruno Jail bond measure. (Supervisor Maher)

File 60-94-12.7

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Maher - 2.

[Rebuttal Argument, Prop B, Asian Art Museum Bond]
Motion authorizing rebuttal to opponent's ballot argument opposing Proposition B, the Asian Art Museum bond measure. (Supervisor Shelley)

File 60-94-12.8

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Maher - 2.

[Rebuttal Argument, Prop C, City Hall Bonds]
Motion authorizing rebuttal to opponent's ballot argument opposing Proposition C, the City Hall bond measure. (Supervisor Hsieh)

File 60-94-12.9

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Maher - 2.

[Rebuttal Argument, Prop D, Sewer Revenue Bonds]
Motion authorizing rebuttal to opponent's ballot argument opposing Proposition D, the sewer revenue bond measure. (Supervisor Alioto)

File 60-94-12.10

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Maher - 2.

[Rebuttal Argument, Prop L, Elections Task Force]
Motion authorizing rebuttal to opponent's ballot argument opposing Proposition L, an ordinance concerning the Elections Task Force. (Supervisor Hallinan)

File 278-94-3

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Maher - 2.

[Rebuttal Argument, Prop P, Ferry Bldg/Pier 52]
Motion authorizing rebuttal to opponent's ballot argument opposing Proposition P, an ordinance concerning the Ferry Building and Pier 52. (Supervisor Bierman)

File 60-94-20.1

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Maher - 2.

CONSENT CALENDAR

Recommendations of Budget Committee

Passed for Second Reading

[Appropriation, Library]
Ordinance appropriating $1,287,000 of Library Preservation Fund Revenue for salaries, fringe benefits, non-personal and other non-personal services, materials and supplies, equipment and services of other departments, for the Public Library for fiscal year 1994-95. (Implement Proposition E) (Supervisor Alioto)

File 101-94-11, Ordinance No.

Passed for second reading.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

Recommendations of Government Efficiency and Labor Committee

Finally Passed

[Contract, Health Care Services to Solano County]
Ordinance authorizing and approving contract for the provision of health care services to Solano County Medi-Cal patients. (Supervisor Alioto)

File 30-94-20, Ordinance No. 303-94

Finally passed.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[MOU, Building Inspectors Association]
Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Building Inspectors Association for 6331 Building Inspector and 6333 Senior Building Inspector and the City and County awarded by the arbitration panel. (Department of Human Resources)

File 93-94-17.1, Ordinance No. 316-94

Finally passed.

[MOU, Building Inspectors Assoc., Chief Inspector]
Ordinance implementing fiscal provisions of Memorandum of Understanding between the Building Inspectors Association for 6334 Chief Building Inspector and the City and County awarded by the arbitration panel. (Department of Human Resources)

File 93-94-17.3, Ordinance No. 317-94

Finally passed.

[Sale of Real Property, Parking Authority]
Ordinance approving the sale of Lot 1 in Assessor's Block 4213 to the Parking Authority for the purposes of constructing an off-street parking facility to serve the San Francisco General Hospital, and adopting findings pursuant to City Planning Code Section 101.1. (Real Estate Department)

File 96-94-3, Ordinance No. 313-94

Finally passed.

[Hold Harmless Agreement, DPH with MAXIMUS, Inc.]
Ordinance amending Administrative Code, authorizing the Health Commission to execute hold harmless agreements with MAXIMUS, Inc., a contractor with the Federal Social Security Administration, to provide referral, case management and monitoring services to residents of San Francisco who require substance abuse treatment services. (Department of Public Health)

File 97-94-52, Ordinance No. 315-94

(Adds Section 1.47.)

Finally passed.

From Government Efficiency and Labor Committee
Without Recommendation

Finally Passed

[Street Vacation, McAllister/Polk/Redwoods Streets]
Ordinance ordering the vacation of subsurface areas of portions of McAllister, Polk and Redwood Streets adjoining Assessor's Block 766, Lots 2, 3, 4 and 5, and adopting findings that the vacation is consistent with the City's Master Plan and eight priority policies of City Planning Code Section 101.1, and adopting and incorporating findings pursuant to the California Environmental Quality Act. (Supervisor Alioto)

File 164-94-1.1, Ordinance No. 314-94

Finally passed.

The foregoing items on the Consent Calendar were acted upon by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Maher - 2.

REGULAR CALENDAR

NEW BUSINESS

Recommendations of Budget Committee

Reconsideration of Mayor's Veto

Mayor's Line Item Veto Overridden Pertaining
to Department of Public Health:

Mayor's Line Item Veto Sustained Pertaining
to all other departments.

[Annual Appropriation Ordinance 1994-95]
Ordinance appropriating all estimated expenditures for the City and County of San Francisco for fiscal year ending June 30, 1995. Consideration of Line Item Vetoes. (Mayor)

File 101-94-2, Ordinance No. 312-94

(July 25, 1994 - Finally passed.
August 4, 1994 - Returned by Mayor with line item vetoes.
August 15, 1994 - Referred to Budget Committee with direction to report back August 29, 1994.
August 24, 1994 - Budget Committee recommends that the Board override the line item veto of $239,570 for the Department of Public Health and makes no recommendation on the remaining $560,430 for all other departments.)

Supervisor Hsieh reiterated the August 24, 1994 recommendations of the Budget Committee as noted above.

The roll was called on the question to override the Mayor's line item veto of the Department of Public Health and it was refused adoption by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Leal, Migden, Shelley - 7.

Noes: Supervisors Conroy, Kennedy, Maher - 3.

Absent: Supervisor Kaufman - 1.

Supervisor Maher, seconded by Supervisor Hallinan, moved to rescind the previous vote.

Motion to rescind the previous vote adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Leal - 2.

The roll was called on the question to override the Mayor's veto on Department of Public Health's line items and it was adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Leal, Maher, Migden, Shelley - 8.

Noes: Supervisors Conroy, Kennedy - 2.

Absent: Supervisor Kaufman - 1.

The roll was then called on the question to override veto of non-health items and it was refused adoption by the following vote:

Ayes: Supervisors Alioto, Bierman, Hsieh, Leal, Migden, Shelley - 6.

Noes: Supervisors Conroy, Hallinan, Kennedy, Maher - 4.

Absent: Supervisor Kaufman - 1.

Passed for Second Reading

[Appropriation, District Attorney]
Ordinance appropriating $100,391, District Attorney, of Jail Overcrowding Fine Revenue to allow the creation of nighttime District Attorney position to reduce jail overcrowding for fiscal year 1994-95; placing $100,391 on reserve. (Controller)

File 101-94-7, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Maher - 2.

[ASO, District Attorney, Add 1 Position]
Ordinance amending the Annual Salary Ordinance, 1994-95, Office of the District Attorney, reflecting the addition of one position (Classification 8182G Head Attorney, Civil and Criminal); companion measure to File 101-94-7. (Department of Human Resources)

File 102-94-3, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Maher - 2.

[Appropriation, Mayor's Office of Community Dev]
Ordinance appropriating $84,023, Mayor's Office of Community Development, of dispute resolution filing fees for professional special service contracts (Dispute Resolution Program), and permanent salaries, for fiscal year 1994-95; providing for ratification of action previously taken. (Controller)

File 101-94-8, Ordinance No.

(Fiscal Impact.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Maher - 2.

Adopted

[Airport, Rates and Charges, Findings]
Resolution making a finding that the schedule of rates and charges for common use facilities established by the Airports Commission effective July 1, 1994 will be sufficient to pay for maintenance and operation expenses of the Airport and will not require any tax subsidy. (Airports Commission)

File 27-94-14, Resolution No. 757-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Maher - 2.

[Airport, Rates and Charges, Changes to Schedule]
Resolution approving changes to the schedule of rates and charges for common use facilities at San Francisco International Airport as established by Airports Commission; companion measure to File 27-94-14. (Airports Commission)

File 27-94-14.1, Resolution No. 758-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

[School District Facilities Improvements, 1994C Bond]
Resolution providing for the issuance of $95,000,000 aggregate principal amount of City and County of San Francisco General Obligation Bonds (School District Facilities Improvements, 1994), including the issuance of an initial series thereof in the aggregate principal amount of $30,650,000 and designated as the City and County of San Francisco General Obligation Bonds (School District Facilities Improvements, 1994), Series 1994C; authorizing the execution, authentication and registration of said bonds; providing for the levy of a tax to pay the principal and interest thereof; providing for the appointment of depositories and agents for said bonds; and providing for the establishment of funds related thereto. (Chief Administrative Officer)

File 170-94-15, Resolution No. 733-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

[Bonds, Public Safety Improvement Projects]
Resolution authorizing and directing the sale of City and County of San Francisco $3,455,000 principal amount of General Obligation Bonds (Public Safety Improvement Projects, 1989), Series 1994A; $18,100,000 principal amount of General Obligation Bonds (Public Safety Improvement Projects, 1990), Series 1994B; $30,650,000 principal amount of General Obligation Bonds (School District Facilities Improvement, 1994), Series 1994C and $10,105,000 principal amount of General Obligation Bonds (Fire Department Facilities Project, 1992), Series 1994D; prescribing the terms and form of said bonds; approving forms of official notice of sale of bonds and notice of intention to sell bonds; directing the publication of notice of intention to sell bonds; approving the official statement relating thereto; authorizing the reimbursement of certain expenditures and ratifying certain actions; and authorizing the execution of necessary documents. (Chief Administrative Officer)

File 170-94-16, Resolution No. 734-94

(Fiscal Impact.)

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

Recommendation of Economic Vitality and Social Policy Committee

Passed for Second Reading

[Transfer of Sick Leave and Vacation Benefits]
Ordinance amending Administrative Code, relating to the transfer of sick leave and vacation benefits to catastrophically ill employees, by extending for an additional 18 months the sunset clause on the elimination of the maximum number of hours that can be transferred to an employee for any single catastrophic illness, retroactive to August 11, 1994. (Supervisors Kaufman, Alioto, Leal, Bierman, Shelley, Kennedy)

File 97-94-50, Ordinance No.

(Amends Section 16.9-29.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

In connection with the above item, Supervisors Alioto, Leal, Bierman, Shelley, Kennedy requested to be added as co-sponsors.

Recommendation of Health, Public Safety and Environment Committee

Consideration Continued

[California Health Security Act Ballot Initiative, Proposition 186]
Resolution establishing the policy of the City and County to support the California Health Security Act (Proposition 186) Ballot initiative of 1994 (also known as the Single-Payer Initiative). (Supervisors Shelley, Migden)

File 60-94-23, Resolution No.

Supervisor Shelley, seconded by Supervisor Hsieh, moved to continue consideration to September 7, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

Recommendations of Housing and Land Use Committee

Passed for Second Reading

[Roadways Acceptance, Rebecca Lane and Bowman Court]
Ordinance accepting roadways, including curbs, of Rebecca Lane and Bowman Court in Assessor' Block 4720, dedicated by the C. Hillside Village Subdivision map recorded October 17, 1991 in Parcel Map Book 40 at pages 181 to 184. (Department of Public Works)

File 9-94-2, Ordinance No.

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

[Rent Ordinance]
Ordinance amending Administrative Code, to limit payment of relocation assistance to tenants in lower income households. (Residential Rent Stabilization and Arbitration Board)

File 97-94-13, Ordinance No.

(Amends Section 37.9A.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

[Vehicle Weight Limit, 6000 lbs, Market Street]
Ordinance amending the Traffic Code, prohibiting the operation of vehicles in excess of 6000 pounds upon a portion of Market Street, between Fremont Street and Van Ness Avenue. (Department of Parking and Traffic)

File 124-94-9, Ordinance No.

(Adds Section 28.1.95.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

SPECIAL ORDER - 3:00 P.M.

Consideration Continued

[Public hearing]
Hearing of persons interested in or objecting to Sewer Service Charges to be paid by users for fiscal year ((1993-94)) 1994-95 pursuant to Part II, Chapter X, Articles 4.1 and 4.2, of the Public Works Code and Board of Supervisors Resolution No. ((572-93))540-94, regarding rate reductions for low income residential units; providing for a severability clause.

File 21-93-2

(Filed May 31, 1994.)

(Exempt from environmental review.)

(August 1, 1994 - Consideration continued to August 29, 1994.)

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration to September 19, 1994.

Motion to continue adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Conroy, Kaufman, Leal, Migden, Shelley - 5.

Amendment of the Whole Adopted;
Consideration Continued as Amended

[Sewer Service Charge]
Resolution revising schedules of Sewer Service Charges to be paid by users for fiscal year ((1993-94))1994-95 pursuant to Part II, Chapter X, Articles 4.1 and 4.2, of the Public Works Code and Board of Supervisors Resolution No.((572-93)) 540-94, regarding rate reductions for low income residential units; providing for a severability clause. (Supervisors Kaufman, Leal, Bierman, Alioto)

File 21-93-2, Resolution No.

(August 1, 1994 - Consideration continued to August 29, 1994.)

On behalf of Supervisor Kaufman, Supervisor Hallinan, seconded by Supervisor Kennedy, moved an amendment of the whole entitled, "Resolution revising schedules of Sewer Service Charges to be paid by users for fiscal year 1994-95 pursuant to Part II, Chapter X, Articles 4.1 and 4.2, of the Public Works Code and Board of Supervisors Resolution No. 540-94, regarding rate reductions for low income residential units; providing for a severability clause."

Amendment of the whole adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Conroy, Kaufman, Leal, Migden, Shelley - 5.

Supervisor Hallinan, seconded by Supervisor Kennedy, moved to continue consideration as amended to September 19, 1994.

Motion to continue as amended adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Kennedy, Maher - 6.

Absent: Supervisors Conroy, Kaufman, Leal, Migden, Shelley - 5.

In connection with the above item, Supervisor Migden requested to be added as co-sponsor.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public hearing]
Hearing of persons interested in or objecting to report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of the Resolution, and creating special assessments and liens based thereon.

File 14-94-1

(Note: Persons intending to object to the special assessment shall review their particular cases with Health Department officials in Room 228 beginning at 1:00 P.M. When all Health Department reviews are completed, the Board shall hear unresolved objections.)

The President inquired if anyone present wished to speak.

There being no one present wishing to speak, the President declared the hearing closed.

From Department of Public Health

Adopted

[Garbage Liens]
Resolution confirming report of delinquent charges for refuse collection services and nuisance removal costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon.

File 14-94-1, Resolution No. 761-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Closed

[Public hearing]
Hearing of persons interested in or objecting to report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of the resolution, and creating special assessments and liens based thereon.

File 30-94-23

(Note: Persons intending to object to the special assessment shall review their particular cases with Health Department officials at 101 Grove Street, in Room 300 beginning at 12:00 Noon. When all Health Department reviews are completed, the Board shall hear unresolved objections.)

The President inquired if anyone present wished to speak.

There being no one present wishing to speak, the President declared the hearing closed.

From the Department of Public Health

Adopted

[Reinspection Fee Liens]
Resolution confirming report of delinquent reinspection fee cost submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessments and liens based thereon. (Department of Public Health)

File 30-94-23, Resolution No. 762-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Closed

[Public hearing]
Hearing of persons interested in or objecting to report of delinquent hazardous materials fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessment and liens based thereon.

File 128-94-1

(Note: Persons intending to object to the special assessment shall review their particular cases with Health Department officials at 101 Grove Street, in Room 300 at 10:00 A.M. When all Health Department reviews are completed, the Board shall hear unresolved objections.)

The President inquired if anyone present wished to speak.

There being no one present wishing to speak, the President declared the hearing closed.

From the Department of Public Health

Adopted

[Hazardous Materials Fee and Penalty Liens]
Resolution confirming report of delinquent hazardous materials fee costs submitted by the Director of Public Health, as modified to the date of adoption of this resolution, and creating special assessment and liens based thereon.

File 128-94-1, Resolution No. 763-94

Adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

SPECIAL ORDER 3:00 P.M.

Hearing Held

[Public Hearing]
Hearing to consider increasing the Real Property Transfer Tax rate to $5.00 from $2.50 for each $500 of consideration or value of the property conveyed for transfers in which the consideration or value of the property conveyed exceeds $250,000. (Supervisor Bierman)

File 127-94-5.1

(The first public hearing as required by State law was held on July 25, 1994.)

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Speaking in support: Shelley Salieri, mental health consumer, Norman Rolfe, Bob, Mark Roman, Martha Hawthorne, Janice Cohen, Karen Klein, Ralph Jacobson, Bob Serber, Steve Leoni, Mark Norton, Linda Jofuku, Donald L. Rice; Jay L. Bender, Bill Lloyd.

Speaking in opposition: Don Saunders, John Christen, Vince Molton, Margo Goldman, Rachel Ballarrin, Lena Emmery, Lucy Margo Toolie, Janan New, Bruce Trief.

No position: Mia Cone, Essie Mae Roberts.

Passed for Second Reading

[Real Property Transfer Tax]
Ordinance amending Part III of the Municipal Code (Real Property Transfer Tax Ordinance) to increase the tax rate to $5.00 from $2.50 for each $500 of consideration or value of the property conveyed for transfers in which the consideration or value of the property conveyed exceeds $250,000. (Supervisor Bierman)

File 127-94-5.1, Ordinance No.

(Fiscal Impact.)

(Amending Section 1102.)

Passed for second reading by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Hsieh, Leal, Migden, Shelley - 7.

Noes: Supervisors Conroy, Kennedy, Maher - 3.

Absent: Supervisor Kaufman - 1.

SPECIAL ORDER - 3:00 P.M.

Hearing Held

[Public hearing]
Hearing of appeal from the decision of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) by its letter dated August 9, 1994, denying police fee waivers for temporary closing of streets for the Haight Street Fair, 1993 and 1994, in an amount totaling $5,000.

File 42-94-5

(Appeal filed August 19, 1994.)

The President inquired if anyone present wished to speak.

The privilege of the floor was granted to the following:

Pablo Heising; Genevieve Bayan, Juneteenth Festival.

From the Clerk of the Board

Refused Adoption

(Only one of the following two motions should be adopted.)

[Findings - Street Fair Police Fee Waiver]
Motion affirming the decision of ISCOTT and denying the waiver of the police fees owed to the City and County by the sponsor of the Haight Street Fair (1993 and 1994), in an amount totaling $5,000. (Clerk of the Board)

File 42-94-5.1

Refused adoption by the following vote:

Ayes: Supervisors Alioto, Hsieh, Leal, Maher, Shelley - 5.

Noes: Supervisors Bierman, Conroy, Hallinan, Kennedy, Migden - 5.

Absent: Supervisor Kaufman - 1.

Refused Adoption

[Findings - Street Fair Police Fee Waiver]
Motion reversing the decision of ISCOTT and granting the waiver of the police fees owed to the City and County by the sponsor of the Haight Street Fair (1993 and 1994), in an amount totaling $5,000. (Clerk of the Board)

File 42-94-5.2

Refused adoption by the following vote:

Ayes: Supervisors Alioto, Bierman, Hallinan, Migden, Shelley - 5.

Noes: Supervisors Conroy, Hsieh, Kennedy, Leal, Maher - 5.

Absent: Supervisor Kaufman - 1.

PUBLIC COMMENT

The privilege of the floor was granted to the following persons:

Shelley Salieri; Abdalla Megahed.

There being no one else present wishing to speak, the President declared the public comment portion of the meeting closed.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

These measures were introduced at a prior meeting of the Board with action requested at this meeting. Any Supervisor may require these measures to go to committee unless a motion to suspend the rules is adopted by eight votes (or a unanimous vote if only six or seven members are present). An "aye" vote is (a) a vote in favor of suspending the rule requiring reference to committee, and (b) a vote in favor of adoption of the measures. Eight votes (or a unanimous vote if only six or seven members are present) is required.

Severed from For Adoption Without Committee Reference Calendar

Supervisor Hallinan requested that the following measure be severed from the For Adoption Without Committee Reference Calendar and considered separately.

Referred to Committee

[ACA 47, Elimination of MBE/WBE Programs]
Resolution opposing Assembly Constitutional Amendment 47 which will eliminate MBE/WBE programs relating to the operation of the State's system of public employment, public education and public contracting. (Supervisors Shelley, Leal, Migden, Kennedy, Alioto, Bierman, Hallinan)

File 012-94-031, Resolution No.

(August 22, 1994 - Introduced in Board for consideration on August 29, 1994.)

At the request of Supervisor Hallinan referred to the Economic Vitality and Social Policy Committee.

In connection with the above item, Supervisors Leal, Migden, Kennedy, Alioto, Bierman, Hallinan requested to be added as co-sponsors.

The Board thereupon resumed its consideration of the following items on the For Adoption Without Committee Reference Calendar.

For Adoption Without Committee Reference Calendar

Adopted

["Popper" Warning Notices]
Resolution supporting expanded point-of-sale noticing of the health risks associated with popper use and urging re-introduction and passage of Senator Milton Marks' poppers noticing bill. (Supervisors Migden, Leal, Shelley, Alioto)

File 012-94-029, Resolution No. 759-94

(August 22, 1994 - Introduced in Board for consideration on August 29, 1994.)

Adopted.

In connection with the above item, Supervisors Shelley, Alioto requested to be added as co-sponsors.

[AB 2755, Medical Managed Care Program]
Resolution urging the City's Lobbyist to take necessary steps to ensure amendment of AB 2755 to allow city employees to be served by San Francisco's local initiative managed care program if they so choose. (Supervisors Leal, Migden, Shelley)

File 012-94-030, Resolution No. 760-94

(August 22, 1994 - Introduced in Board for consideration on August 29, 1994.)

Adopted.

In connection with the above item, Supervisors Migden, Shelley requested to be added as co-sponsors.

[Super Bowl]
Resolution endorsing the efforts of the Super Bowl Task Force and encouraging the task force to submit a bid on behalf of the City and County of San Francisco to host Superbowl XXXIII. (Supervisors Conroy, Alioto, Shelley)

File 197-94-003, Resolution No. 756-94

(August 22, 1994 - Introduced in Board for consideration on August 29, 1994.)

Adopted.

In connection with the above item, Supervisor Shelley requested to be added as co-sponsor.

[PGA Tour]
Resolution welcoming the PGA Tour Championship, urging CalTrans to issue the permits necessary for the PGA Tour Championship. (Supervisors Conroy, Alioto)

File 197-94-004, Resolution No. 764-94

(August 22, 1994 - Introduced in Board for consideration on August 29, 1994.)

Adopted.

In connection with the above item, Supervisor Alioto requested to be added as co-sponsor.

[Management Compensation Packages]
Resolution urging the Mayor to direct the Civil Service Commission and Human Resources Department to review, reform and update current management compensation packages and standards for the City and County of San Francisco; and requiring reports on progress in achieving these revisions. (Supervisor Leal)

File 222-94-005, Resolution No. 765-94

(August 22, 1994 - Introduced in Board for consideration on August 29, 1994.)

Adopted.

The foregoing items on the For Adoption Without Committee Reference Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

IMMEDIATE ADOPTION CALENDAR

These measures are being introduced at this meeting. A unanimous vote is required for adoption today. Any Supervisor may require any of these measures to go to committee.

Adopted

[Leaves of Absence]
Resolution granting leaves of absence to various city and county officers with permission to leave the state. (Clerk of the Board)

File 1-94-35, Resolution No. 739-94

(Sue Bierman, member, Board of Supervisors, August 30 - September 6; Edwin M. Lee, member, Human Rights Commission, August 25 - September 1; Jim Mayo, member, Human Rights Commission, August 26 - September 2; Louise Renne, City Attorney, August 26 - September 6; Albert C. Walker, Executive Officer, Civil Service Commission, September 9 - 14; September 23 - October 11; November 10 - 16,1994.)

Adopted.

[Jackie Speier]
Resolution commending Jackie Speier on the birth of her daughter Stephanie Katelin Elizabeth Sierra. (Supervisors Maher, Migden, Alioto)

File 6-94-51, Resolution No. 740-94

Adopted.

In connection with the above item, Supervisors Migden, Alioto requested to be added as co-sponsors.

The foregoing items on the Immediate Adoption Calendar were adopted by the following vote:

Ayes: Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden, Shelley - 10.

Absent: Supervisor Kaufman - 1.

Recess

The Board, at the hour of 2:37 p.m., took a brief recess.

Reconvening of the Board

The Board, at the hour of 3:00 p.m., reconvened.

Calling the Roll

On call of the roll, the following Supervisors were noted present:

Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Leal, Maher, Migden - 9.

Noted absent:

Supervisors Kaufman, Shelley - 2.

Quorum present.

Supervisor Kaufman excused (see supra).

Supervisor Shelley was noted present at 3:03 p.m.

OFF-CALENDAR LEGISLATION

ROLL CALL FOR INTRODUCTION OF MEASURES AND COMMUNICATIONS NOT CONSIDERED OR REPORTED ON BY COMMITTEE

Referred to Committee

[Assessment Appeals Board Assignments]
Ordinance amending Administrative Code by amending Section 2B.10 to correct a typographical error and amending Section 2B.11 to provide that a single findings of fact fee shall be due for a single appraisal unit and amending Section 2B.13 to allow Assessment Appeals Board No. 1 to hear appeals of all types, to allow Assessment Appeals Board No. 2 to hear appeals involving property on the unsecured roll assessed at $75,000 or less and to allow members of one Assessment Appeals Board to serve on the other board in conformance with state law. Supervisor Kaufman presented. Referred to Government Efficiency/Labor Committee.

File 097-94-059.

[Travel Allowance to Idaho Not Permitted]
Ordinance amending Annual Appropriation Ordinance for fiscal year 1994-1995 by adding a section which prohibits the allowance of travel expenses incurred in traveling to conventions and meetings in Idaho. Supervisor Alioto presented. Referred to Budget Committee.

File 101-94-002.04.

[Earthquake Hazard Reduction]
Ordinance amending Building Code by amending Table No. 14-A and Section 1405 to revise the time limits for the submission and approval of applications for permits and to permit extensions of time due to lack of city bond program funds and for other delays and to make revisions to the requirements for notices to owners and signs. Supervisor Hsieh presented. Referred to Budget Committee.

File 114-94-006.

Referred to Board

[Proclaim, Domestic Violence Awareness Month]
Resolution honoring Domestic Violence Awareness Month and urging the Mayor to urge the City to participate in the many educational and informational activities during the month of October, "Domestic Violence Awareness Month". Supervisors Conroy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 7, 1994.

File 004-94-022.

[HR 918, Disclosure of Lending, Small Businesses]
Resolution supporting HR 918 which would require banks to disclose records of lending to minority-owned and start-up small businesses. Supervisors Kennedy, Alioto presented. Referred to Board for Adoption Without Committee Reference Calendar September 7, 1994.

File D13-94-028.

[Assessment Appeals Board, Alternate Positions]
Resolution authorizing an increase in the number of alternate positions on the Assessment Appeals Board to nine positions; providing for the immediate effectiveness of this resolution; asking the Rules Committee to schedule an early hearing date to consider appointments. Supervisor Kaufman presented. Referred to Board for Adoption Without Committee Reference Calendar September 7, 1994.

File 054-94-008.

[San Francisco City Store]
Resolution calling upon the Chief Administrative Officer to issue a Request-for-Proposals for non-profit agencies in conjunction with the for-profit entities, to develop, operate and manage a San Francisco City Store. Supervisor Leal presented. Referred to Board for Adoption Without Committee Reference Calendar September 7, 1994.

File 274-94-002.

Referred to Committee

[Saint Luke's Hospital]
Resolution opposing the closure of vital services at Saint Luke's Hospital and requesting the Board of Supervisors to conduct hearings to assess the impact such closure had on the health and safety of the Mission District community. Supervisors Bierman, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 288-94-001.

Requests for Hearings:

[Federal Crime Bill]
Hearing to consider the impacts of the federal crime bill on San Francisco, including, but not limited to community input on additional police officers, uses for additional juvenile justice programs and how San Francisco will apply for and match federal funds. Supervisors Shelley, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 013-94-003.03.

[Appealing Denial of Police Fee Waiver]
Hearing of appeal from the decision of the Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) by its letter dated August 9, 1994, denying police fee waivers for temporary closing of streets for the San Francisco Fair, 1993, in the amount of $2,500. Supervisor Hallinan presented. Referred to Board for public hearing on September 7, 1994.

File 042-94-006.

[Child Care Program]
Hearing to determine if the City and County of San Francisco is meeting the child care needs of low income families and welfare recipients; what is the present status of the child care situation and are our programs working. Supervisors Kennedy, Alioto presented. Referred to Economic Vitality/Social Policy Committee.

File 107-94-005.

[HIV/AIDS Five Year Housing Plan]
Hearing to consider the implementation of San Francisco's Five Year HIV/AIDS Housing Plan by the San Francisco Redevelopment Agency and the City AIDS Office and programs under the Housing Opportunities for People with Aids (HOPWA) program. Supervisors Leal, Alioto presented. Referred to Health/Public Safety/Environment Committee.

File 108-94-004.01.

[San Francisco Housing Authority]
Hearing to consider the impact of reducing services and securities to residents of housing provided by the San Francisco Housing Authority as a result of its reorganization process and to determine the reasons and procedures used in reducing services and staff. Supervisors Kennedy, Alioto presented. Referred to Economic Vitality/Social Policy Committee. with request it be considered at the September 13, 1994 meeting.

File 206-94-004.

[Domestic Violence]
Hearing to consider and evaluate the City's response to domestic violence and to develop a comprehensive, citywide plan to coordinate city department policies and procedures and to develop an effective way for the City to interface with public and private agencies to effectively address the many facets of the issue. Supervisor Conroy presented. Referred to Economic Vitality/Social Policy Committee.

File 235-94-002.

[Final General Management Plan, Presidio]
Hearing to consider the Final General Management Plan Amendment for the Presidio (published by the National Park Service). Supervisor Shelley presented. Referred to Select Committee on Base Conversion on the Presidio, Hunters Point Naval Shipyard and Treasure Island.

File 244-94-008.02.

Motions:

Referred to Board

[Needle Exchange Emergency]
Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program. Supervisors Alioto, Leal, Bierman, Shelley, Migden presented. Referred to Board for Adoption Without Committee Reference Calendar September 7, 1994.

File 030-94-001.17.

[Findings - Street Fair Police Fee Waiver]
Motion affirming the decision of ISCOTT and denying the waiver of the police fees owed to the City and County of San Francisco by the sponsor of the San Francisco Fair, 1993, in the amount of $2,500. Supervisor Hallinan presented. Referred to Board for consideration September 7, 1994.

File 042-94-006.01.

[Findings - Street Fair Police Fee Waiver]
Motion reversing the decision of ISCOTT and granting the waiver of the police fee owed to the City and County of San Francisco by the sponsor of the San Francisco Fair, 1993, in the amount of $2,500. Supervisor Hallinan presented. Referred to Board for consideration September 7, 1994.

File 042-94-006.02.

Referred to Committee

[Proposition O Meeting - Sunset District]
Motion ordering the October 26, 1994 meeting of the Health, Public Safety and Environment Committee of the San Francisco Board of Supervisors to be held in the Sunset District of San Francisco, at 6:30 p.m. Supervisor Shelley presented. Referred to Rules Committee.

File 054-94-009.

Referred to Board

[Revenues for Fiscal Year 1994-95]
Motion directing the Budget Analyst to provide information to the Board regarding lost revenue caused by the Tax Collector's failure to collect license and permit fees. Supervisors Conroy, Alioto, Kennedy, Maher, Hallinan presented. Referred to Board for Adoption Without Committee Reference Calendar September 7, 1994.

File 165-94-004.01.

[Senior Services Task Force Plan]
Request that the Senior Services Task Force present its plan to the Board of Supervisors on September 12, 1994. Supervisors Shelley, Alioto presented. Referred to Board for consideration September 12, 1994.

File 217-94-005.

Meeting Scheduled

Adopted

Motion scheduling a special meeting of the Board of Supervisors on Wednesday, September 7, 1994, at 2:00 p.m. to consider items scheduled for the regular meeting of September 6, 1994 and cancelling the meeting of September 6, 1994.

Supervisor Hsieh, seconded by Supervisor Kennedy, moved adoption.

Motion adopted by the following vote:

Ayes Supervisors Alioto, Bierman, Conroy, Hallinan, Hsieh, Kennedy, Maher, Migden, Shelley - 9.

Absent: Supervisors Kaufman, Leal - 2.

Introduced by the President at the Request of Departments

Ordinances Referred to Committee

File 009-94-003. [Acceptance of Roadway, Park Street] Ordinance accepting roadway, including curbs, of Park Street, between Holly Park Circle and Andover Street. (DPW Order No. 166,845) (Department of Public Works) Referred to Housing and Land Use Committee.

File 036-94-006. [Zoning Map Amendment, 892 Corbett Avenue] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 892 Corbett Avenue, Lot 13 in Assessor's Block 2779, from an RH-1 (House, One-Family) District to an RM-1 (Mixed Residential, Low Density) District and adopting findings pursuant to City Planning Code Sections 101.1 and 302(c); companion measure to File 36-94-6. (Department of City Planning) Referred to Housing and Land Use Committee.

File 045-94-047. [Settlement of Litigation, Ebony Jones] Ordinance authorizing settlement of litigation of Ebony Jones against the City and County of San Francisco by payment of $6,000. (Superior Court No. 947-476) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 045-94-048. [Settlement of Litigation, Steven Godbier] Ordinance authorizing settlement of litigation of Steven Godbier against the City and County of San Francisco by payment of $30,000. (Superior Court No. 952-760) (City Attorney) Referred to Government Efficiency/Labor Committee.

File 074-94-001. [Tax Rate Setting, CCSF, FY 1994-95] Ordinance providing revenue and levying taxes for City and County purposes for the fiscal year ending June 30, 1995. RO #94042 (Controller) Referred to Budget Committee.

File 074-94-002. [Tax Rate Setting, SFUSD, FY 1994-95] Ordinance providing revenue and levying taxes for San Francisco Unified School District purposes for fiscal year ending June 30, 1995. RO #94043 (Controller) Referred to Budget Committee.

File 074-94-003. [Tax Rate Setting, Community College Dist, FY 94-95] Ordinance providing revenue and levying taxes for San Francisco Community College District purposes for the fiscal year ending June 30, 1995. RO #94044 (Controller) Referred to Budget Committee.

File 093-94-022. [MOU, Union of American Physicians & Dentists, 8-CC] Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Union of American Physicians and Dentists for Bargaining Unit 8-CC and the City and County of San Francisco; companion measure to File 93-94-22.1. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-94-023. [MOU, Physicians & Dentist Units 11-AA] Ordinance implementing the fiscal provisions of the Memorandum of Understanding between the Union of American Physicians and Dentists for Bargaining Unit 11-A and the City and County of San Francisco; companion measure to File 93-94-23.1. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-94-024. [MOU, Fire Management Unit, Arbitrator's Award] Ordinance implementing the fiscal provisions of the arbitrator's award covering the Fire Management Unit. (Also see File 222-94-1, Ordinance No. 92-94) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-94-025. [MOU, Police Management Unit, Arbitrator's Award] Ordinance implementing the fiscal provisions of the arbitrator's award covering the Police Management Unit. (Also see File 222-94-1, Ordinance No. 92-94) (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 101-94-002.03. [Annual Appropriation Ord FY 1994-95, Amendment] Ordinance amending Annual Appropriation Ordinance for fiscal year 1994-95, File No. 101-94-2, giving effect to revenue changes pursuant to Charter Section 6.208 and adjusting appropriations to meet the requirements of the Art Commission pursuant to Charter Section 6.400, and adjusting appropriations to meet the requirements of the Airport, as a pre-requisite to levy a tax pursuant to Charter Section 6.208. RO #94045 (Controller) Referred to Budget Committee.

File 101-94-012. [Appropriation, Water Department, $142,011] Ordinance appropriating $142,011, Water Department, from Water Department Operating Fund Balance, to capital improvement project (Bay Division Pipeline) for fiscal year 1994-95. RO #94049 (Controller) Referred to Budget Committee.

File 124-94-012. [Parking Regulations, Jackson Street] Ordinance amending the Traffic Code by adding Section 32.6.17 thereto, adding Jackson Street, south side, between Sansome Street and Custom House Place, to the list of streets on which parking restrictions shall apply. (DPT Order No. 650) (Department of Parking and Traffic) Referred to Housing and Land Use Committee.

Resolutions Referred to Committee

File 036-94-006.01. [Final Negative Declaration, 892 Corbett Avenue] Resolution adopting Final Negative Declaration, finding and determining that the reclassification of property at 892 Corbett Avenue from an RH-1 House, One-Family) District to an RM-1 (Mixed Residential, Low Density) District, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration; companion measure to File 36-94-6. (Department of City Planning) Referred to Housing and Land Use Committee.

File 068-94-011. [Shelter Plus Care Funds, 1994 Application] Resolution authorizing the Mayor of the City and County of San Francisco to apply for, accept and administer a grant from the U.S. Department of Housing and Urban Development for a total amount not to exceed $2,851,800 for the Shelter Plus Care Program authorized under Section 837 of the National Affordable Housing Act of 1990, Public Law 101-625; and ratifying actions previously taken. There will be no direct or indirect costs associated with the acceptance of these grant funds. (Also see File 68-93-6.1, Resolution No. 511-93; File 79-93-2.3, Resolution No. 465-94.) (Mayor's Office of Housing) Referred to Government Efficiency/Labor Committee.

File 068-94-012. [Expenditure of Shelter Plus Care Grant Funds] Resolution authorizing the Mayor of the City and County of San Francisco to expend a grant of Shelter Plus Care Funds from the U.S. Department of Housing and Urban Development in a total amount not to exceed Nine Million Nine Hundred Twenty Seven Thousand Five Hundred and Forty Dollars ($9,927,540) for a program authorized under Section 837 of the National Affordable Housing Act of 1990, Public Law Number 101-625. No direct or indirect costs are associated with the acceptance of these grant funds. (Also see File 68-93-6.1, Resolution No. 511-93; File 79-93-2.3, Resolution No. 465-94.) (Mayor's Office of Housing) Referred to Government Efficiency/Labor Committee.

File 093-94-022.01. [MOU, Union of American Physicians/Dentists, 8-CC] Resolution ratifying Memorandum of Understanding between the Union of American Physicians and Dentists for Bargaining Unit 8-CC and the City and County of San Francisco; companion measure to File 93-94-22. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 093-94-023.01. [MOU, Union of American Physicians/Dentists, 11-AA] Resolution ratifying Memorandum of Understanding between the Union of American Physicians and Dentists for Bargaining Unit 11-AA and the City and County of San Francisco; companion measure to File 93-94-23. (Department of Human Resources) Referred to Government Efficiency/Labor Committee.

File 124-94-010. [Administrative Fee - Towing of Vehicles] Resolution approving a fee of One Hundred Fifty Dollars ($150.00) proposed by the Chief of Police to reimburse the Police Department for removal of vehicles impounded as part of an enforcement program funded by a grant from the Office of Traffic Safety as specified in Traffic Code Section 170.2A. (Also see File 124-94-8.) (Police Commission) Referred to Budget Committee.

File 138-94-010. [Joint Powers Agreement, Victim Witness Assistance] Resolution authorizing the District Attorney of the City and County of San Francisco to retroactively apply for, accept and expend funds in the amount of $291,431 made available through the State Board of Control Victims of Crime Program, an agent of the State of California for a project entitled "Joint Powers Agreement with Victim Witness Assistance Center" for FY 1994-95 and including indirect costs of five percent of the total grant equaling $14,572. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 138-94-011. [Victim Witness Assistance Center] Resolution authorizing the District Attorney of the City and County of San Francisco to apply for, accept and expend funds not to exceed $350,000 available through the Office of Criminal Justice Planning for a project entitled "Victim Witness Assistance Center", for the twelve month period July 1, 1994 through June 30, 1995 and including indirect costs of $17,500 which is five percent of the total grant. (District Attorney) Referred to Government Efficiency/Labor Committee.

File 143-94-007. [Comprehensive Occupant Protection/Child Safety] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of Five Hundred Fifty Thousand Dollars ($550,000.00), for funding from the California Office of Traffic Safety (OTS) for a project entitled "Comprehensive Occupant Protection/Child Safety Program", and waiving indirect costs per the attached guidelines. (Police Commission) Referred to Government Efficiency/Labor Committee.

File 143-94-008. [Traffic Offender Program] Resolution authorizing the Chief of Police of the City and County of San Francisco to apply for, accept and expend funds in the amount of Four Hundred Seventeen Thousand Dollars ($417,000.00), for funding from the California Office of Traffic Safety (OTS) for a project entitled "Traffic Offender Program", and waiving indirect cost per the attached guidelines. (Police Commission) Referred to Government Efficiency/Labor Committee.

File 146-94-021. [State Grant, Outreach Case Management/Educational Services] Resolution authorizing the Department of Public Health, Community Public Health Services, Family Health Bureau to apply for retroactively, accept and expend a grant of $200,000, which includes indirect costs in the amount of $3,293, based on ten percent of salaries, from the State Department of Health Services, Maternal Child Health Branch for outreach, case management and educational services, providing for ratification of action previously taken. (Department of Public Health) Referred to Government Efficiency/Labor Committee.

File 244-94-003.02. [Presidio Power Bid] Resolution authorizing the Public Utilities Commission to submit a bid and execute a contract with the National Park Service for the construction of a replacement electrical distribution system at the Presidio. (Also see File 244-94-3.1, Resolution No. 389-94) (Public Utilities Commission) Referred to Government Efficiency/Labor Committee.

Requests Granted

There being no objection, the Board directed the Clerk to comply with the following requests:

By Supervisor Alioto, that City Attorney prepare ordinance amending the Annual Appropriation Ordinance for fiscal year 1994-95 which would prohibit the allowance of travel expenses incurred in traveling to conventions and meetings in the State of Oregon.

By Supervisor Kennedy, that letters be sent to the Honorable members of the San Francisco Housing Authority and the Executive Director notifying them of hearing to consider the impact of reducing services and securities to residents of housing provided by the San Francisco Housing Authority as a result of its reorganization process and to determine the reasons and procedures used in reducing services and staff which is scheduled before the Board of Supervisors Economic Vitality and Social Policy Committee on September 13, 1994 and requesting their attendance to address the following concerns: 1) what procedure/process was used in determining who would be laid-off; 2) what are the reasons behind the lay-offs; 3) what plans are being formulated to assist laid-off employees; 4) what is the expected gain from the reorganization process; 5) how many management positions (administrators) have been filled and at what salaries; 6) how many new management positions are being created; 7) are permanent workers being replaced by temporary workers; 8) who will perform the work of the laid-off employees; 9) are you complying with requirement that thirty percent of employees be residents of Housing Authority. File 206-94-4.

By Supervisor Kennedy, that letters be sent to Executive Director, Mayor's Office of Children, Youth and Their Families; Director, Private Industry Council and General Manager, Department of Social Services notifying them of hearing to determine if the City and County of San Francisco is meeting the child care needs of low income families and welfare recipients, the present status of the child care situation and whether our programs are working and requesting their presence when the item is calendared before the Board of Supervisors Economic Vitality and Social Policy Committee. File 107-94-5.

By Supervisor Conroy, that letters be sent to the Honorable Police Commission, Commission on the Status of Women and Chair, Economic Vitality and Social Policy Committee, requesting that a joint meeting be scheduled to consider and evaluate the City's response to domestic violence and to develop a comprehensive, citywide plan to coordinate city department policies and procedures and to develop an effective way for the City to interface with public and private agencies to effectively address the many facets of the issue. File 235-94-2.

By Supervisor Conroy, that letter be sent to the McKinley Drop-In Center to ascertain whether towels are available to those who shower there and if not, if a system will be set up to do so.

By Supervisor Conroy, that Budget Analyst review and comment on the sale of laundry equipment at San Francisco General Hospital to determine whether the equipment was sold far below market rate.

Motions Adopted

Motion that the Board adjourn its meeting this date out of respect to the memory of the following deceased:

Leslie Ransom (Supervisor Kennedy)
Marion Willin (Supervisor Conroy)
Elinor Baumgartner (Supervisor Leal)

File 2-94-35

Unanimously adopted by a rising vote.

ADJOURNMENT

There being no further business, the Board at the hour of 6:00 p.m. adjourned.

John L. Taylor, Clerk

N.B. This Journal of Proceedings sets forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on September 19, 1994

I, John L. Taylor, Clerk of the Board of Supervisors of the City and County of San Francisco, hereby certify that the foregoing is a true and correct copy of the Journal of Proceedings of said Board on the date stated and was approved as recited.

John L. Taylor
Clerk of the Board of Supervisors

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